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Senate

The Senate met at 12 noon and was called to order by the President pro tempore [Mr. THURMOND].

PRAYER

The Chaplain, Dr. Lloyd John Ogilvie, offered the following prayer:

Dear Father, You created us with a family likeness, with a potential of emulating Your character. This week we celebrate ''Character Counts Week.'' Thank You for the world leadership of this Senate in establishing this week in October to emphasize the six pillars of character so needed today: Trustworthiness, respect, responsibility, fairness, caring, and citizenship. Today we affirm how crucial are the character traits of trustworthiness, respect, and responsibility. We have learned from You what it means to be trustworthy. You are faithful, consistent, totally reliable, and absolutely true to Your promises.

God, we long to be people who are known for our integrity; that wonderful consistency between what we believe and what we do; that congruity of what we say and how we follow through. We also desire to be people who communicate respect and take responsibility for the natural world, for our Nation, and for the sacredness of the people around us. Each of us views Your particularized affirmation of our uniqueness. Help us to communicate that same respect for others. May this Senate be a shining example to America as men and women who are unreservedly trustworthy, respectful, and responsible in their leadership. Through them and all of us, strengthen the moral fiber of our Nation. In Your trustworthy name. Amen.

PLEDGE OF ALLEGIANCE

The Honorable PAT ROBERTS, a Senator from the State of Kansas, led the Pledge of Allegiance as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

RECOGNITION OF THE ACTING MAJORITY LEADER

The PRESIDENT pro tempore. The Senator from Kansas is recognized.

SCHEDULE

Mr. ROBERTS. Mr. President, today the Senate will be in a period of morning business until 1 p.m. Following morning business, the Senate will resume consideration of S. 1593, the campaign finance reform bill. As a reminder to Members, two cloture motions were filed on the second pending amendment on Friday. Therefore, pursuant to rule XXII, those votes will occur on Tuesday, 1 hour after the Senate convenes, unless a consent agreement is reached to set those votes for a time certain. The majority leader has announced that the first vote today will occur at 5:30 p.m. It is hoped that the 5:30 vote, or votes, will be in relation to the amendments to the pending legislation. However, if votes regarding the campaign finance reform bill are not possible, the Senate will vote on any legislative or executive items available for action.

I thank my colleagues for their attention.

Mr. President, I note the absence of a quorum.

The PRESIDENT pro tempore. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. THOMAS. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

RESERVATION OF LEADER TIME

The PRESIDING OFFICER. Under the previous order, leadership time is reserved.

MORNING BUSINESS

The PRESIDING OFFICER. Under the previous order, there will now be a period of morning business until the hour of 1 p.m. with the first 30 minutes under the control of the minority leader. After that time has expired, the last 30 minutes will be under the control of the majority leader or his designee.

The distinguished Senator from Wyoming is recognized.

Mr. THOMAS. Thank you very much.

COMPLETING THE WORK OF THE SENATE

Mr. THOMAS. Mr. President, I wanted to come to the floor this morning and talk a little bit about where we are in the Senate, at least in my view, and where we are going. We are, of course, nearing the end of this session. Nobody knows precisely or exactly when we will be out of here, but it won't be long. We have to take a strong look, in my view, at what we have to do, and the things that are necessary to do. There are, of course, certain things that are required.

At this time of year, Congress maybe hasn't finished its annual ritual, but the fact is we have done a great deal. I am pleased with that. But we must, of course, finish the appropriations. The continuing resolution expires this week, but hopefully we will have the appropriations to the President. We will see what happens from there.

In addition to that, of course, I am very hopeful that at least one other issue will be undertaken, and that is to do something about the balanced budget amendment and the Medicare restrictions that are in place.

You might recall that Congress asked for some reduction in the cost of Medicare over a period of time to ensure a firming up in the fact that these dollars are being used as they should be. Unfortunately, the administration has reduced that spending almost twice what was anticipated and, therefore, I

think it will be necessary for us to go back and do some things for all of Medicare and particularly, I might say, for rural areas and small hospitals in areas such as in Wyoming.

I think we have allowed ourselves to become a little bit off track. We have gotten involved in lengthy discussions of issues that are probably not particularly timely nor, indeed, perhaps even particularly appropriate, issues that did not need to be or were not ready to be discussed and debated this year and could well have been put off until another year. But, nevertheless, they have been discussed, and we are, in fact, still involved in some of those—the nuclear test ban treaty of course, being one of them. Now we are on campaign finance.

There have been extended debates brought about by the insistence of Members on the floor. We have also had a number of filibusters and threatened filibusters from the other side of the aisle in order to control what was occurring on the floor.

I haven't been here as long as have many Members of the Senate, but I can tell you I don't think that in the time I have been here I have seen such a contentious and combative situation. It is the most controversial session I believe—perhaps the most uncooperative—in terms of coming to terms with the things we need to do.

Our friends on the other side of the aisle, the Democrats, of course, have brought issues to the floor, and we have had a number of filibusters and threatened filibusters. I guess the most interesting was the latest nuclear test ban treaty debate in which there was an insistence that we come on the floor with it, and then there was a cry of foul when it came up. That was a somewhat interesting and difficult issue.

We have had Members forcing issues to the floor that have had little or no support, but yet under the rules of the Senate they are entitled to be discussed and discussed for a length of time. In fact, we have had the feeling we are becoming too oriented toward accomplishing things. But, again, that is one point of view.

It seems to me we find the President now in the most political posture that I recall a President being in, criticizing the Senate for doing the things that we have a constitutional responsibility to do—treaties. We have the advise and consent responsibility on all treaties. That is in the Constitution. The same is true regarding nominees. That is our responsibility. I believe we have the right to do the things that we believe are right without being criticized.

At every opportunity, the President is calling everything a political vote. I find that paradoxical. There were allegations of racial voting on nominees for the Judiciary. I for one—and I know many others—did not even know the race of the person being voted upon.

The White House, trying to use many of these votes to breathe some life into a lame-duck President, makes it very difficult. We still have a responsibility. We have things to do. We have things to complete. We find ourselves in a confrontation, with the President threatening to disapprove appropriations. He has that right, as well. However, we ought to come together. We ought to talk about it. We ought to decide what we are going to do. We know we will fund the Government. We know we will go forward. I don't think anyone genuinely wants to shut down the Government. However, we are faced with that possibility. It worked out so well politically for the President a couple of years ago; he shut down the Government and we got the blame. I hope we don't use that technique again.

It is a fairly simple thing. It is very difficult, but we have a commitment to have a certain amount of spending—about $592 billion worth of spending—outside the mandatory appropriations. We have to make agreements to stay within that commitment. We are dedicated to the idea of not spending more than that because we have to go into Social Security. As difficult as it may be, that is the goal. That is the bottom line. We simply have to make the adjustments that are necessary to do that. I think that is reasonable and certainly not impossible.

Aside from that, it seems to me we have had a good year. We started this year as the majority party saying we were committed to ensuring a sound Social Security retirement system. We said we were here to help improve educational opportunities for our children, to expand economic opportunities for all Americans, to provide a strengthening of our national security to protect our freedoms. Those were the four things we set about to do. I believe the leadership and the Members have called for that.

Despite all the talk and concern about education in the appropriations, the Republican proposal has $537 million more than the President requested. We have passed a bill that increases flexibility and opportunity for the States, the local school boards, and the parents to make the necessary decisions in their school districts. The school districts in Basin, WY, have different needs than in Philadelphia, PA. To the extent the Federal Government has a role—which represents, by the way, about 7 percent of total educational spending; not a huge amount—that money should be able to be spent the way the people wish to spend it. They, after all, are responsible for the education of their children.

In our tax bill, which the President vetoed, there were several educational propositions, educational savings accounts, and student loan programs available, as well. Of course, the President vetoed those bills. We have done a great deal in education. I think it is something of which we should be proud.

Everyone talks about Social Security. It is one of our most important issues. Everyone who has worked for a wage or worked in their own business has paid into Social Security. Our commitment is to have Social Security available not only for those who are now beneficiaries but, indeed, for those young people who have just begun to work. There has been a great deal of discussion. The President talked about saving Social Security, but, frankly, has put nothing forward.

We have done a couple of things. One is to have a Social Security lockbox to ensure we will not spend the Social Security money, and that will be a test of this budget. The other is to propose that we have the kind of Social Security program so at least a portion of those funds can be put into an individual account that belongs to the person who has been putting in the money. It can be invested directly in equities in the private sector to increase the return. I am pleased with that.

We have increased military spending by about $17 billion. It has gone down over the last several years despite the fact that the world is not safe.

Tax relief: We spent a great deal of time working on opportunities for all Americans to save some of the money they pay to taxes through marriage penalties, through estate tax reduction, capital gains reduction, and general reductions in rates. The President vetoed that because he wants to spend more money.

In health care, we have a Patients' Bill of Rights that I think is excellent. We also have committed ourselves to do something on the balanced budget.

These are the things on which we have made a great deal of progress. In addition, we recently had the test ban on nuclear testing. In a press conference last week, the President tried to deflect criticism about the lack of leadership he provided and the fact that not even a majority of this Senate supported it on a final vote by blaming it all on partisan politics, accusing the Republicans of making the world a more dangerous place.

Acting against the national interest? Nonsense. Let me give some canards. Neither the United States nor the Senate have changed their views on nuclear testing. I am chairman of the Subcommittee on Asia and Japan. We are not going to start testing; we have not changed our position. We have no plan to test. Our policies in that regard are exactly the same as they were before the vote. All we were saying in the vote was, this is not the treaty at this time, with these shortcomings.

The President tried to blame the Republicans for being in a partisan mode. The President should look at his own party. Democrats demanded we have a vote on this treaty or they would filibuster all action on the Senate floor. On September 18, the Senator from North Dakota said:

I intend to plant myself on the floor like a potted plant and object. I intend to object to other routine business of the Senate until the majority leader brings this treaty to the floor for debate and vote. I don't run this

place, but those who do should know this is going to be a rough place to run if you do not decide to bring this issue to a vote.

We brought it to a vote and apparently they got exactly what they demanded—a debate and vote. Before the President blames the Republicans, he ought to take a look at the CONGRESSIONAL RECORD. The vote was not a vote against national security. In an attempt to frighten people, the President accused those who opposed it of threatening the national security, that no thinking person could possibly oppose it.

Let me list for the Senate some of the people whom the President dismissed: Henry Kissinger, six former Secretaries of Defense, four former CIA Chiefs, former Federal weapons lab Directors, two former Chiefs of Staff, the President's own head of Strategic Command at the time the treaty was negotiated, three former National Security Advisers. It goes on and on.

This idea of isolationism is ridiculous. The idea of maintaining the U.S. military strength is not. That, in the view of many, gives the best opportunity for security.

Now we are involved, of course, in this question of campaign finance. It is a legitimate issue, a good issue. We have been into it before. We passed bills in the 1970s. We passed bills in the 1980s. It has not changed an awful lot. Some people suggest it has been blown completely out of hand. I suggest it is probably not true. The expenditures in the average congressional district have gone up about 3.6 percent a year since 1986. That is hardly runaway. It amounts to about $1 per voter in most congressional districts.

But I believe—and, for myself, I think there is some consensus in the Senate—it is an important issue. I have said, and I continue to say, I support some changes. I would like to see more disclosure. It seems to me that is the most important thing. If there is going to be money—and, indeed, there has to be money—if people are to understand the issues and have a chance to speak out, to have the freedom of speech, to have the opportunity to participate, it has to be open. But I think there should be disclosure. There should be disclosure right up until the end of the election, and we can do that. We should enforce the laws already on the books, as is the case with many other matters of enforcement. I think we have to protect the constitutional rights of individuals to participate.

I would support some limit on soft money. I do not know how, constitutionally, that would be accepted by the Supreme Court. Nevertheless, I would set some limit and support that. But I would not support doing away with it. I would not support eliminating it. I would not support the bill as it is proposed now.

We can contribute to the integrity of the process and help return more confidence to it. I have thought about this a lot. People who support Members, or people who are running, do so because of what they believe. They do not change their beliefs because they received some support. As you look around for whom you are going to support in the election, you support the person whose beliefs are similar to yours. I support things in my State—I suppose some people call them special interests—because they are important to my State. Those are the industries at which most people in my State work. Those are the kinds of industries that we need to have a vibrant economy. Of course I support those, not because of some contribution.

In summary, I wish we were in a little different situation in our relationship on both sides of this aisle and in our relationship with the White House, so we could really look at some issues, come out with what seems best to us as a group, and move forward.

On the other hand, I am very pleased with many of the things we have done. I can tell you, most people in my State, when we talk about doing all these things, have a limit in their minds as to what the Congress ought to be doing, what is the role of the Federal Government. It is not up to the Congress to solve every problem. On the contrary, we are better off to push more and more of that government closer to the people, where they can make the decisions, not the one-size-fits-all kind of thing some people here would like to have.

We are ready to move on and finish up. I look forward to it. I hope we can conclude our work and do the best things for the country.

I yield the floor.

The PRESIDING OFFICER (Mr. SESSIONS). The distinguished Senator from Iowa is recognized.

EXTENSION OF MORNING BUSINESS

Mr. GRASSLEY. Mr. President, I ask unanimous consent that we continue morning business until the hour of 1:05. I think it ends at 1 o'clock.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

The Senator from Iowa is recognized.

PARENTS' INFLUENCE IN YOUTHFUL DRUG USE

Mr. GRASSLEY. Mr. President, I greet my colleagues with the often bad news of drug use by young people, and particularly with reference to the very important role of parents in preventing youth drug use. As I do occasionally, in my capacity as chairman of the International Narcotics Control Caucus of the Senate, I come to the floor to report on national surveys that go on in this area, surveys that have been going on for a couple of decades, so we are able to compare the incidence of increasing drug experimentation by young people as well as following trends we had in the last decade in declines in drug use by young people.

I seek the floor today to visit with my colleagues on this very same subject, as I have many times in the past since I have been chairman of this group of our colleagues who spend a great deal of time on drug problems generally and, of course, a lot of time on the issue of drug use by young people.

So, again, as happens at the beginning of every school year, there are these national surveys that are made public. Within the last month or so, several of these have been made public. That is what I want to discuss with my colleagues. There have been three national surveys released that tell the story of drug use in the United States, particularly among teenagers.

On September 8 of this year, the National Center on Addiction and Substance Abuse—that is called CASA, for short. Let me say it again: It is a National Center on Addiction and Substance Abuse. That organization released its annual back-to-school survey on the attitudes of teens and parents regarding substance abuse. The survey stressed how essential it is for parents to get involved in their children's lives. The survey indicates that kids actually do listen to their parents. In fact, 42 percent of the teenagers who have never used marijuana credit their parents with that decision. Unfortunately, too many parents—45 percent—believe that teenagers' use of drugs is inevitable. In addition, 25 percent of the parents said they have little influence over their teen's substance abuse.

I suggest to that 25 percent that they ought to consider that 42 percent of the young people in America have already responded to this survey, saying they do not use marijuana because their parents have influenced them not to. And for the 25 percent of the parents who do not think they can have any influence over their teen's substance abuse, they would probably have considerable and beneficial influence.

CASA stresses how important parental involvement is. A child with a positive relationship with both parents is less likely to get involved with drugs. The survey also suggests that family-oriented activities such as eating dinners together and attending religious services together can reduce the risk of substance abuse.

The second week in September also marked the release of the annual Parents Resource Institute for Drug Education survey. That acronym is PRIDE, P-R-I-D-E. PRIDE's survey on teenage drug use. The survey also indicated the importance of parents' influence in shaping the attitude of teens regarding the harmful effects of drugs, just like the CASA survey.

Unfortunately, this past year the overall attitude among youth towards the harmful effects of drugs remains mostly unchanged. In fact, some attitudes worsened. Sadly, about 27 percent used an illegal drug at least once in the last year, and about 16 percent used drugs monthly or more often.

Moreover, the number of students who regarded cocaine and heroin as harmful has decreased from the previous year. We know that, as perception of risk of use goes down, actual use of cocaine and heroin goes up. The monthly use of cocaine by high school students rose from 3.1 percent to 3.2 percent, hallucinogens went up from 3.9 percent to 4.2 percent, and liquor—and we don't often think enough of a legal product, liquor, being used illegally by young people as being a problem—but it went up from 26.9 percent to 28.1 percent. Worse yet, beer tends to be a gateway for uses of these other drugs that eventually leads, by some young people, to worse drugs. Unfortunately, in this PRIDE survey, the number of students who said drugs cause no harm increased over the previous year.

So that message out there that is strong and hard and definitive and constant that drug use is bad, does work but not if it isn't consistently heard and reinforced.

The PRIDE survey reiterates that parents have the power to change these attitudes. Those young people who say their parents talk with them a lot about drugs show a 37 percent lower drug use than those students who say their parents never talk to them about drugs. Despite this statistic, less than 31 percent of the students say their parents talk with them often or a lot about the problems of drugs.

So we have one-third of the parents shirking their responsibility; and in shirking their responsibility, they are losing an opportunity to make a difference in whether or not their young people will experiment with drugs. Because we have that other survey that shows 42 percent of the young people in America do not use drugs because they have been influenced by their parents not to use drugs.

The last survey I want to refer to is a National Household Survey on drug abuse. It was released 2 months ago. It gives a very clear picture that we still have much work ahead of us when it comes to educating our kids about drugs.

The survey stated that almost 10 percent of our young people, ages 12 to 17, reported current use of illicit drugs. An estimated 8 percent of youths in the same age category reported current use of marijuana fairly regularly.

Unfortunately, this was not a significant change from last year. According to the survey, young people reported great risk of using cigarettes, marijuana, cocaine, and alcohol; and that percentage was unchanged from the previous year.

The disturbing fact is 56 percent of the kids, ages 12 to 17, reported that marijuana was very easy to get. And 14 percent of these young people reported being approached by someone selling drugs within 30 days of their interview for the survey.

Although these statistics seem daunting, we have made some progress in keeping drugs out of children's hands. The National Household Survey—the last one I referred to—stated that the number of youths using inhalants has decreased significantly from 2 percent in 1997 to 1 percent last year.

The PRIDE survey reported that monthly use of any illegal and illicit drugs fell from 17 percent last year to 16 percent this year. Even more important is the fact that 60 percent of the students say they do not expect to use drugs in the future. And this is a 9-percent increase from the 51 percent last year.

There may be some hope shown in those statistics, then, that finally a message about ''just don't do it,'' ''drugs are bad,'' may be making some progress.

But we all know the war on drugs is tough and it is not one that will be won easily, but it is not one from which we in public life or within our families can walk away. Although these numbers and statistics remain exceedingly high, our efforts can make a difference and are not futile. I believe creating a drug-free environment for our youth is an accessible goal that we must work to reach.

Surveys such as these play an important role in measuring our progress and determining the work that lies ahead of us. It is clear that the public is aware of the problem and expects Congress and the administration to do their part in finding ways to make counterdrug programs work.

In a national poll on national drug policy, produced last month by the Mellman Group, the public supports effective drug control programs. As you can see from chart No. 1—if you would look at chart No. 1—the public particularly supports strong interdiction programs and consistent interdiction efforts. The survey shows 92 percent of the people questioned view illegal drugs as a serious problem in this country.

I will now refer to chart No. 2. The majority of individuals think drug use in this country is increasing. Few see it declining, in other words. So it seems obvious to me—and I hope to all of you—that the American people are aware of the problem and are eager for a more assertive national drug policy from Congress and from the administration.

When Americans are more concerned about the availability of drugs than they are about crime, we clearly need to take action. We cannot afford to let drugs devastate our country any further; we cannot afford to let drugs devastate any more young people. We have to be proactive in our efforts if we want to change these disturbing numbers that have come out in the CASA survey, the National Household Survey, and the PRIDE survey.

We do not need a miracle for our young people. We need a strong family life and positive role models to guide our youth in the right direction.

Education of the dangers of drugs starts at home. But it needs to be carried over into all of society. Parents need help in sustaining a clear and consistent ''no use'' message.

In closing, I refer to an effort I am making in my State called Face It Together, an organization that tries to bring together all elements of our society.

There are two elements of our society—at least in my State—that I do not think have done enough to be supportive of families because the front line in the war against drugs is the home. We cannot, in the home, push it off on the school, off onto law enforcement, off onto substance abuse professions. That front line is the home.

But two institutions of society, in my State, I think, can do a better job. Maybe it is true of the other 49 States as well. Although it is more encompassing than just involving industry and business on the one hand, and the churches on the other hand in supporting families, that is where I want to concentrate my effort. Because most businesses and industries in my State have substance abuse programs, as a matter of necessity, for the health and well-being of their workers and to maintain the productivity of their workforce, we want those businesses that have a drug education and drug awareness program in the workplace to get their workers—men and women alike—to carry that message home and use it in the families, in the home, to support the effort which ought to be in that family already, of telling their children of the dangers of drugs.

The other place where I do not think we have used enough of our resources is in the churches of our State, for messages from the pulpit, and to use the institution of the church to disseminate educational information to, again, be supportive of the family—mom and dad—to keep that message strong back home. This is something we all need to work on.

I yield the floor.

CONCLUSION OF MORNING BUSINESS

The PRESIDING OFFICER. Morning business is closed.

The Senator from Colorado.

Mr. ALLARD. Mr. President, may I inquire as to how our time is being controlled? Do we have time limits?

The PRESIDING OFFICER. We are to return to the pending business, with no time limitations.

Mr. ALLARD. I thank the Chair.

BIPARTISAN CAMPAIGN REFORM ACT OF 1999—Resumed

The PRESIDING OFFICER. Under the previous order, the Senate will now return to consideration of S. 1593, which the clerk will report.

The legislative assistant read as follows:

A bill (S. 1593) to amend the Federal Election Campaign Act of 1971 to provide bipartisan campaign reform.

Pending:

Daschle amendment No. 2298, in the nature of a substitute.

Reid amendment No. 2299 (to amendment No. 2298), of a perfecting nature.

The PRESIDING OFFICER. The Senator from Colorado.

Mr. ALLARD. Mr. President, before making my comments on the campaign finance reform measure before us, I thank the Senator from Kentucky for his splendid work on this issue. This has been an issue on which he has spent a good deal of time. An issue this complicated is very demanding. As so frequently is the custom of the Senator from Kentucky, he has put his heart and soul into this issue. Many of us appreciate his dedicated effort in trying to deal with this issue in a very responsive manner. It is characteristic of the Senator from Kentucky to do this kind of work for the Senate. We all appreciate and respect him for it.

The Denver Rocky Mountain News ran an editorial on September 21st in response to the passage of the Shays/Meehan bill, expressing the paper's belief that soft money campaign contributions are a form of political expression and, as such, are protected by the First Amendment.

I don't bring this up now as a part of the Senate debate on campaign finance reform just because The News is a local paper. I am bringing this editorial up now because it is from a local paper with an exceedingly sound view.

In the editorial they use an example of an average citizen who might decide to distribute leaflets against a city pot hole problem. If this hypothetical citizen is stopped from doing so by a city council, it would be a clear-cut violation of freedom of speech.

The editorial then goes on, correctly, to explain that the difference between this simple form of election activity control and the kinds contained in the two main campaign finance measures considered on the Hill this year—Shays/Meehan and McCain/Feingold—is merely a difference of degrees, not type.

Donors who want to give to the Republican National Committee or the Democrat National Committee are expressing their political views.

I ask unanimous consent that the Rocky Mountain News editorial be printed in the RECORD.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

[From the Denver Rocky Mountain News, Tues., Sept. 21, 1999]

FREE SPEECH VS. 'REFORM'

Suppose that you were upset about potholes in a neighborhood street. Imagine that you started cranking out leaflets to win the support of fellow residents and maybe even to get them to consider the issue in the next city council election. And now suppose that the city government told you to cut it out on the ground that the amount of money you were spending on those leaflets was corrupting politicians. You just might suspect someone was messing with your freedom of speech, right?

Your assessment would be correct. And it would be equally correct to believe that a campaign finance bill passed recently in the House of Representatives would abridge the First Amendment guarantees of untethered political expression. The bill is aimed principally at money that's given to political parties for reasons other than directly influencing a candidate's election or defeat at the polls. The legislation would ban those kinds of unregulated contributions, and the cheers have been deafening.

But why is it that applauding throngs are so eager to quell free speech? Can't they see that it's as much an abuse of power to stop a rich donor from piling money at the door of the Republicans or the Democrats as it would be to limit the distribution of leaflets by a neighborhood activist? The Senate sponsors of a similar bill reportedly plan to drop one particularly obnoxious provision of the House legislation—regulating the content of issue advertisements that comment on candidates—but the proposed law remains an anti-democratic restriction of political discussion.

This so-called reform may be stopped this year by filibuster. It ought to be stopped because members of Congress recognize that the best cure the current system's many ills is more complete disclosure of contributors and even more freedom for direct campaign contributions, not less liberty for all of us.

Mr. ALLARD. As the Supreme Court has ruled, political spending equals political expression. Attempting to stop this political expression, however distasteful some might find soft money, is an attempt to stifle activities protected by the Constitution. And so it is our duty as legislators to find a better—a constitutional—way.

''Don't let perfect be the enemy of good'' is an expression we hear often on this matter. It's a slogan urging baby steps: small moves toward a distant goal.

The thought is that a soft money ban is one part of a move towards an ideal campaign finance system, and is part of an incremental process of improvement.

But alone, it is not good. It's not even merely average. Banning soft money will only give us different and arguably worse evils.

Let's take a look at just a few of them:

First, in some of my colleagues' minds it is a step towards taxpayer financed elections. This would be an absolute monstrosity with the bureaucracy calling the shots on campaigns. Our democratic process is voluntary and fiercely competitive.

Mandating completely taxpayer financed campaigns would force citizens to support candidates they disagree with, it would place bureaucrats in the position of legitimizing political candidates, and it unjustly allows candidates influence beyond their natural appeal to voters.

Let me explain also that I feel that a soft money ban is biased.

It might just be coincidental that the Republican caucus is leading the opposition to this bill instead of the Democrat caucus, but it might also have something to do with the fact that a ban on party soft money will ultimately benefit Democrat candidates over Republican ones.

If political parties are curbed, the Democrats already have a cohesive constituency ready and able to step up and assume party functions. Organized labor is just that—coordinated people ready to work. They are also ready to spend.

Senators SNOWE and JEFFORDS were kind enough to provide us all with a copy of the October 12th Washington Post article covering the announcement by the AFL–CIO that they were going to spend $46 million on the upcoming elections.

I don't begrudge the Democrat National Committee this labor and funding base, but it is unbalanced and blatantly partisan to attempt to shield this type of spending while attacking its counterbalancing force, the areas where the RNC instead has the advantage.

The natural constituencies of each party tend to balance each other out, but they do so in different ways.

If you will excuse this minor diatribe, I want to digress here for a moment and lament what seems so obvious to everyone and that is organized labor is not a Republican constituency.

I support the American worker. My party supports the American worker. We are the party of the individual worker, not a worker controlled by government.

In a more perfect world—of course, meaning a world that runs more according to my beliefs—the Republican agenda would be passed and would aid American workers tremendously.

The tax refund bill pushed by the Republican majority would have passed and returned money to taxpayers, also known as American workers.

The legislation I offered last year to pay down the debt would have benefitted all American workers in myriad ways.

The Social Security lock box would have passed and guaranteed this benefit for American workers.

I am therefore a little perturbed that the leaders of organized labor are so adamant against goals which I feel will greatly benefit the workers of America.

The nature or our political differences has resulted in the current situation where there is no other single entity willing to be so dedicated to a single party.

The Republican Party counters this absence by seeking contributions from diverse sources. Once these individuals give to the candidates they support, because they have not been coerced into giving and are without the option of labor unions to further spread their general message, they give to the Republican National Committee. To try and ''un-level'' the whole playing field by denying one side an outlet for political expression and clout, even if the objection is based an abhorrence of fund raising, is flagrant factionalism.

It is also, as I have said, unconstitutional.

The Supreme Court, in the case we are hearing about a lot this week, Buckley v. Valeo, said just that.

The Supreme Court struck down spending levels, because, and I quote, ''So long as persons and groups eschew expenditures that in express term advocate the election or defeat of clearly identified candidate, they are free to spend as much as they want to promote the candidate and his views.''

They allowed campaign donation limits, not because they did not interfere with First Amendment rights, but because the interference they impose can be grudgingly tolerated in light of the overriding interest in ensuring clean and fair elections.

To further limit soft money donations, or to attempt a different way to cut campaign spending, both of which a ban on party soft money would do, there must first be shown the corresponding overwhelming corruption it brings.

I feel compelled to respond to earlier discussion on this floor by pointing out that the mere lack of authorization for appropriations, while certainly unfortunate and unsound practice, is not by itself proof positive of corruption. We have not authorized the State Department in years. It is hardly pork barrel spending to fund the Drug Enforcement Agency, another unauthorized agency.

Just because large amounts of money flow around elections does not mean that the elections automatically become corrupt.

The Supreme Court has said that large gifts directly to a candidate could be corrupting. That is why the hard money limits are in place. I agree with these.

If a candidate were to receive a huge—say, in the millions—donation from one donor and could run an entire campaign from it, it would be awfully hard to tell it apart from what is commonly called ''being bought.''

But one donor making even a huge donation to a political party is not buying the party philosophy, they are supporting it. And we cannot tell people how and what to support politically.

Many of the proponents of other campaign finance bills try to reduce the influence of ''special interests'' by suppressing their donations and thus their speech.

First, I am not even sure suppressing special interests is an admirable goal, since ''special interests'' are citizens expressing a particular viewpoint, such as the Sierra Club, Chambers of Commerce, Common Cause and countless others.

That's the point of politics: advocating your goal during the march towards a collective good. There needs to be more interests in politics, not less!

I believe the absolute best way to ensure there are no undue special interest influence is to suppress and reduce the size of government.

If the government rids itself of special interest funding and corporate subsidies, then there would be less of a perception of any attempts to buy influence through donations.

A simplified tax code, state regulation flexibility, local education control—these are less government approaches to problems that would also lower the desperate need for access.

Meddlesome outside influences—another horror of campaigning—are a function of the hard money limits, not soft money availability.

Candidates lose control of their message when they lose the right to accept money people want to spend and will end up spending on their behalf.

The simple fact that large sums of money are spent on elections does not mean those elections are corrupt.

In my campaign for Senate, I was outspent by three-quarters of a million dollars. That money obviously did not buy the election. That money did not corrupt the election.

Supporters say that the election system is drowning in soft money.

They say that soft money has consumed the entire political process.

Let me say this. Or, rather, allow me to share what the Supreme Court has to say:

> The First Amendment denies government the power to determine that spending to promote one's political views is wasteful, excessive, or unwise. In the free society ordained by our Constitution it is not the government but the people—individually as citizens and candidates and collectively as associations and political committees—who must retain control over the quantity and range of debate on public issues in a political campaign.

The Supreme Court has been very clear in its rulings concerning campaign finance and the First Amendment.

Since the post-Watergate changes to the campaign finance system began, twenty-four Congressional actions have been declared unconstitutional, with nine rejections based on the First Amendment.

Out of those nine, four dealt directly with campaign finance reform laws. In each case, the Supreme Court has ruled that political spending—even if obviously excessive—is equal to political speech.

Even today, the Supreme Court is addressing a case regarding Missouri contribution limits, showing their continued dedication to protecting the freedom of speech expressed through political support.

Besides the constitutional question, there is the simple matter of plain reality. People with money and political views will not give up their desires to express themselves.

Like water flowing downhill, politically active Americans who find themselves blocked will just find different outlets to reach their goal.

Hard money was regulated, so soft money was invented. If soft money is banned, something else will take its place.

The problem is that the regulations and laws that go further and further towards cutting money also go further and further towards unconstitutionality.

Some in Congress have stated that freedom of speech and the desire for healthy campaigns in a healthy democracy are in direct conflict, and that we can't have both.

The only effective dam, they say, would be to change the First Amendment so as to allow the abridging of political speech.

I don't support that belief. Fortunately for those of us who believe in the First Amendment rights of all American citizens, the founding fathers and the Supreme Court do not either.

They believe, and I believe, that we can have free political speech and fair campaigns.

Also, supporters of some of the campaign finance reform bills believe that if we stop the growth of campaign spending and force give-aways of public and private resources then we will be improving the campaign finance system.

The Supreme Court again disagrees and is again very clear in its intent on campaign spending. The Buckley decision says,

> . . . the mere growth in the cost of federal election campaigns in and of itself provides no basis for governmental restrictions on the quantity of campaign spending. . . .

Campaigns are about ideas and expressing those ideas, no matter how great or small the means.

The ''distribution of the humblest handbill'' to the most ''expensive modes of communication'' are both indispensable instruments of effective political speech. We should not force one sector to freely distribute our political ideas just because it is more expensive than all the other sectors.

So no matter how objectionable the cost of campaigns, the Supreme Court has stated that this is not reason enough to restrict the speech of candidates or any other groups involved in political speech.

Despite my objections to this current legislation, I think I can agree with this bill's cosponsors that improvements can be made to today's system. I have some ideas on that. To that end I have introduced S. 1671, the Campaign Finance Integrity Act of 1999.

My bill would: Require candidates to raise at least 50 percent of their contributions from individuals in the state or district in which they are running; equalize contributions from individuals and political action committees (PACs) by raising the individual limit from $1,000 to $2,500 and reducing the PAC limit from $5,000 to $2,500; index individual and PAC contribution limits for inflation; reduce the influence of a candidate's personal wealth by allowing political party committees to match dollar for dollar the personal contribution of a candidate above $5,000; require corporations and labor organizations to seek separate, voluntary authorization of the use of any dues, initiative fees or payment as a condition of employment for political activity, and requires annual full disclosure of those activities

to members and shareholders; prohibit depositing an individual contribution by a campaign unless the individual's profession and employer are reported; encourage the Federal Election Commission to allow filing of reports by computers and other emerging technologies and to make that information accessible to the public on the Internet less than 24 hours of receipt; ban the use of taxpayer financed mass mailings; enhance cuts on the use of federal property for fund raising, restrict use of White House and Air Force One for fund raising, and require non-office holders who use government vehicles for campaigns to reimburse for that usage.

This is common sense campaign finance reform. It drives the candidate back into his district or state to raise money from individual contributions.

It has some of the most open, full and timely disclosure requirements of any other campaign finance bill in either the Senate or the House of Representatives. I strongly believe that sunshine is the best disinfectant.

The right of political parties, groups and individuals to say what they want in a political campaign is preserved but the right of the public to know how much they are spending and what they are saying is also recognized. I have great faith that the public can make its own decisions about campaign discourse if it is given full and timely information.

Objecting to the popular quest of the moment is very difficult for any politician, but turning your back on the First Amendment is more difficult for me.

I want campaign finance reform but not at the expense of the First Amendment. My legislation does this.

As we deal with this issue, I will continue to listen and continue to fine-tune my belief on this matter. But I will not stray from a firm belief in the first amendment, a firm belief in fair campaign laws, and a firm belief that whatever we do here in this body must justly serve the democratic process.

I yield the floor.

The PRESIDING OFFICER. The Senator from Kentucky.

Mr. MCCONNELL. Mr. President, I shall take just a moment before the Senator from Colorado leaves the floor to thank him. This is his third year in the Senate. As he knows and as has been discussed, we seem to have this debate every year. He has participated every single year in the debate in an extraordinarily insightful way. His speech made a whole lot of sense. I listened to every word.

I thank him for the important contribution he has made to this debate, not only this year but in the other years since he has been in the Senate. I thank the Senator from Colorado.

Mr. ALLARD. I thank my friend from Kentucky.

Mr. MCCONNELL. Mr. President, I note that the Senator from Idaho is on the floor.

The PRESIDING OFFICER. The Senator from Idaho.

Mr. CRAIG. Mr. President, I come to the floor this afternoon to engage in what has become an annual debate on campaign finance reform. But I am also here to honor Senator MITCH MCCONNELL, who has chosen to be a leader on this issue for all the right reasons and, most importantly, the right principled reasons. To defend our Constitution and to defend free speech in this country is an admirable cause. I thank him for engaging in it.

Along with that kind of leadership comes the risk of errors. I see that this weekend the New York Times, in its rather typical fashion, has decided to engage in this debate by simply calling names, suggesting that the Senate is a ''bordello'' and that MITCH MCCONNELL is its ''madam.'' Shame on you, New York Times. I thought you were better than that. But then again, why should we think you are better than that on this issue, because you have chosen to take what you call high ground, which is in fact exclusive ground, that only you as journalists would have to speak out for America when no one else would have that opportunity.

That is what this debate is all about. It is why I come to the floor, not only to support MITCH MCCONNELL but to support these important principles that somehow the New York Times just flat stumbles over on its way to its version of the truth.

There is another analogy I might use. It is similar to suggesting that this form of regulation is like a new architectural design for the Navy that gave us the *Titanic*. I suspect it is not new at all. In fact, it is not reform at all. And we have been up this creek one too many times.

We are here today and we are engaged in a most serious way to debate what I think is an important issue. The Senate has held more than 100 votes on campaign finance reform during the past dozen years. Although the definition of ''reform'' has fluctuated widely over that period of time, the essence of this legislation remains the same—to restrict and stifle political speech.

The bill now before us would also federalize or nationalize vast parts of America's politics. For the average citizen listening in today, let me repeat that phrase. Do you want your Government to federalize or nationalize political free speech in this country, to shape it and control it, and to tell candidates and their supporters how to speak? Someday they might even suggest what to speak. That is really the importance of why we come to this floor today to debate this most important topic.

Under the new plan offered by Senators MCCAIN and FEINGOLD, there would be once again an across-the-board ban on soft money for any Federal election activity.

You have already heard the sponsors and the supporters of this bill talk on and on about how soft money is bad, about how President Clinton rented out the Lincoln Bedroom in exchange for huge soft money donations, or how foreign nationals paid tens of thousand of dollars during the President's 1996 election campaign. They say all soft money is bad. Or should we say that Bill Clinton misused it and so, therefore, it is bad? I believe that is the kind of connection they are using.

Sorry, Senator MCCAIN; sorry, Senator FEINGOLD. Don't put me in the same category with Bill Clinton. Put me in another category. Put me in a category that recognizes the importance of free speech and that recognizes there are appropriate ways of handling it.

As I have said in the past, and I say again, a total ban on soft money will have a significant negative effect on the lives of thousands of citizens who believe it is their American right to become engaged in the political process. In the end, you will hear no disagreement on this point from the sponsors or the supporters of the legislation.

Let me take a few moments to explain how this proposal of a ban on soft money will affect thousands of citizens involved in America's politics.

Here in Washington, the national party organizations receive money from donors. The donations can be from individuals, lobbying groups that represent their members, businesses, or unions. The political organizations receiving these donations include the Republican National Committee, the Democratic National Committee, the Republican Senatorial Committee, the Democrat Senatorial Committee, the Republican National Congressional Committee, and the Democratic National Congressional Committee.

All of these political organizations receive donations from contributors. What happens next is—and it is very important that we follow this because this is supposed to be the negative side of politics; this is supposed to be the side that corrupts. And yet, so far, it is clearly outside the Halls of the Senate. The money flows to these national political organizations.

What happens next? These political organizations distribute some of that money to their respective political parties in counties and localities all over the country. As you can imagine, there are thousands of State, county, and local political offices that receive this financial aid.

Then, under certain conditions already defined by State and Federal law, the local parties use this money for activities such as purchasing campaign buttons, bumper stickers, posters, and yard signs to express an opinion, to express an idea. The money is also used by voter registration activities on behalf of the partys' Presidential and Vice Presidential nominees. The money is also used for multi-candidate brochures and even sample ballots.

Can you imagine corruption yet emerging out of this that somehow

would affect the vote or influence the vote of an individual Senator on this floor? I know Halloween is close. I know Senators MCCAIN and FEINGOLD are searching for ghosts. And maybe in this scenario there is a ghost. But, fellow Senators, it is only a ghost because here is what happens next.

Let me give you an example. Say it is an election day. You go down to your local polling site, whether it is at a school, a local church, a National Guard armory, or your American Legion hall. Sometimes there is a person there who will hand you what is called a sample ballot listing all of the candidates in your party running for office. It is a way of identifying people running for your office or running for office in your party. As most voters, you are more than likely to choose candidates of your party. However, under the McCain-Feingold proposal, it would be against the law to use soft money to pay for a sample ballot with the name of any candidate who is running for Congress on the same sample ballot with State and local candidates combined. Corruption? As I said earlier, it is close to Halloween.

Under the McCain-Feingold legislation, it would be against the law to use soft money to pay for campaign buttons, posters, yard signs, or brochures that include the name or picture of a candidate for Federal office on the same item that has the name or picture of a State or local candidate. That is called Federal control. That causes the creation of a bureaucracy to examine every election process right down to the local county central committee. Imagine the size of the new building here in Washington. Imagine the Federal agents out on the ground. Imagine it; that is what ultimately we reduce ourselves to when we begin to micromanage, as is proposed in this legislation, the kind of political process that most Americans believe and have reason to believe is a fair and honest process.

Under McCain-Feingold, it would be against the law to use soft money to conduct a local voter registration drive 120 days before the election. These get-out-the-vote drives have proven to be effective tools for increasing interest among people in the political process. Frankly, that is what we are all about, getting people interested in participating in their government. Not enough do now. With McCain-Feingold, in the end we would probably even cause that to be restricted.

In fact, in 1979 Congress supported revisions in the law pertaining to get-out-the-vote drives because they were concerned about important party-building activities and they promoted citizen participation in the election process. As we have heard on the Senate floor, the sponsors and supporters of this bill think this, and what I have just discussed, is corruption.

Let's look at the reality of what this legislation creates. I will talk about a man I know by the name of Jack Hardy, the chairman of the Republican Party in Custer County, ID. Custer County is about as big as Delaware, New Hampshire, and New Jersey together with only about 4,000 citizens living in that huge geographic area. Jack Hardy, chairman of the Republican Party in that county, works at a full time job as a carpenter. He also enjoys spending time with his family. Jack relies on financial aid from the State and national party organizations to run his Custer County Republican Party.

There are thousands of Jack Hardys all over the country. Most are volunteers. They put in long hours supporting their party and their candidates hoping to make a difference because they believe as Americans they ought to be involved in the party process to get people elected who believe in and represent the ideals that the Jack Hardys of America hold. Jack Hardy is a hard-working man who wants to make a difference.

McCain-Feingold is saying we will make it tougher, Jack. Here is how we will make it tougher. We are not going to allow you to use the kind of resources that come from the State and the Federal parties. You have to get out and hustle: forget your job. You have to get hard money from donations, local business money, and individuals to fund any activities.

Jack already does some of this. He already solicits among individuals and businesses in his community. But never is there enough on an election day or before an election day to do the right kind of work. Jack Hardy relies on his State and Federal party to help him.

People such as Jack Hardy will be forced to take more of their time off from what is a nonpaid voluntary job to help participate in American political activities. In other words, fundraising hard money will become a bigger concern for the State and local officials than ever before, and whoever raises the most money can fund more political activities. It is that simple.

Essentially, what we have done is make money the most compelling factor in campaigns instead of part of what is necessary to run a good campaign organization.

Frankly, this is silly stuff. Exactly what kind of campaign finance reform is this? What are we trying to accomplish? We just added more laws to a system that is already heavily burdened with rules and regulations, many of which can't even get enforced because the Federal Election Commission doesn't function too well. Again, it is a federal bureaucracy that has probably outserved its usefulness.

We have just added more laws to a system that is already not working. We forced thousands of State and local party officials to raise more money from their constituents, to confuse the process that we think works pretty well now.

If the point of McCain-Feingold is to reform the campaign finance system, then I think the last thing we want to do is ban soft money.

I support the amendment offered by Senator MCCAIN to require State and local officials to file immediate electronic disclosure of contributions. That is key to anything we do. Let the voters know firsthand about the money source coming into their politics. Voters are not dumb. They are talented, bright Americans who make their own judgments. And they should be based on the knowledge handed them, without having to create a monstrously large Federal bureaucracy.

I am bothered by what has been left out of McCain-Feingold. For example, there is no protection in this bill against union workers. This issue has already been debated thoroughly on the floor. I noticed just this past week the AFL–CIO has endorsed AL GORE in his candidacy for the Presidency. Of course, this will bring in millions of dollars of reported and millions of dollars of unreported money. Why? In large part, we have exempted labor unions from certain levels of campaign requirements and we do not exempt other citizens of our country. Most importantly, we have said labor bosses can take the dues of their members and use them for political purposes that maybe even those union members don't want.

The American political process ought to be a free process. We want it to be open. We want and must always have full disclosure. If union dues go to fund AL GORE's campaign, there will be a lot of union people in Idaho who will be very angry because they openly tell me they cannot support this candidate. Why? Because he put them out of work. His policy on public lands and public land resources and this administration's reaction has cost thousands of union men and women to be out of work in my State. If their dues go without their ability to say no, they have a right to be angry. Yet the provision I am talking about is not in McCain-Feingold. I am talking about a term we call ''paycheck protection.'' This is a very important part of any kind of campaign finance reform any Member wants to see.

During the 1996 elections, union leaders tacked on an extra surcharge on dues to their members in order to raise $49.2 million to defeat Republican candidates around the country. There is no reason not to say it; that was their intent. They were open about it. The union bosses have announced they plan to spend much more in the 2000 election. Yet nothing in this law says they can't do that. We shouldn't say, ''You can't do it.'' We should say there are rules about how to collect the money. The right of the citizen is to say yes or no to how his or her money is used for political purposes.

There are others waiting to speak. This will be an issue we will debate into the week. It is an important issue, but it is one I think the American citizens understand quite well.

When mom and dad come home at night and they sit at the dinner table and one spouse says to another, ''How was your day?'' my guess is they do not say, ''And, oh, what about those campaign finance laws that Senator FEINGOLD is debating in the U.S. Senate? Those are really important to us.'' I doubt they say that. In fact, I doubt even few moms and dads have ever said that. I think what they will talk about, though, is the shooting that happened down the street too close to their school; or the economy that cost a brother or a sister their job; or the taxes they paid that denied them the ability to spend more on their children or put away more for their children's education. Yes, and they probably even, in a rather disgusted way, talk about some of the examples of moral decline in this country. My guess is that is what goes on around the dinner tables of America, not, ''Oh, and by the way, Senator FEINGOLD has a great campaign finance bill.''

What are important issues, as we debate the issues in the closing days of this Senate, are issues about public education and safety and crime and all of that. We will engage in that with our President in the coming days as we finalize some of these key appropriations bills.

Again, I think what is important to the American people are issues like crime, the economy, taxes, health care, education, social security, and the moral decline of the country.

What people really care about is whether their children will get safely back and forth from school—and whether they'll get a good education in the public schools.

They care about keeping their jobs and trying to make ends meet while they watch more and more of their hard earned money slip away to Washington to satisfy this President's lust for spending.

They care about their future—whether they can save enough money to retire some day. And if they retire, will there be any money left in the Social Security system, or will it all be spent on more government programs.

These are the real concerns of Americans today, and I hope the Senate will soon be able to turn its attention to these important issues.

Let me conclude by saying we are not wasting our time debating campaign finance reform. Defending the right of free speech and the right of citizens to participate in this most critical of American institutions is our job. To defend and protect that right is the reasonable goal. So I appreciate joining with my colleagues on the floor to oppose McCain-Feingold and hope Senators will join with us in protecting that freedom of expression of America's citizens.

I yield the floor.

Several Senators addressed the Chair.

Mr. BENNETT. Before the Senator from Idaho yields the floor, will he yield to a question?

Mr. CRAIG. I will be happy to yield.

Mr. BENNETT. I was very interested in a comment about the money being raised by the AFL–CIO. I would like to get the exact figure. Did the Senator say $49 million?

Mr. CRAIG. That was in the last cycle.

Mr. BENNETT. In the last cycle.

Mr. CRAIG. Specific to those elections.

Mr. BENNETT. Let me ask a question, which I will be asking my friends on the other side as well. But since my colleague has raised it, I think he could be an expert on this issue.

Since we are being told repeatedly throughout this debate that the huge amounts of soft money are corrupting and controlling the votes, let me ask the Senator from Idaho, who is a member of the Republican leadership: If the AFL–CIO were to simply give that $49 million to the Republicans and thus corrupt and influence our votes, would that not be a better investment on their part than to have it wasted on people who are already with them?

Mr. CRAIG. That is a unique thought. I guess I had not thought of it that way. I do not necessarily suggest the $49.2 million is a corrupting factor.

Mr. BENNETT. I do not believe it is corrupting either, but we are being told repeatedly that it is.

Mr. CRAIG. What is corrupting about that is when a labor boss says he is going to take the dues of his member without asking him or her whether he can use those dues for a political purpose.

Mr. BENNETT. I agree with that.

Mr. CRAIG. Thomas Jefferson had something to say about that. He said it was wrong, and an individual's money never should be used for those purposes. That is the corrupting factor, when money you thought you controlled for the purpose of expressing your political opinion would get misused. I think in this instance it does.

Mr. BENNETT. I agree with the Senator from Idaho completely about that. But I want to go back to the argument that has been made again and again by my friend from Wisconsin and the Senator from Arizona, that the tremendous amount of money that is being put into the system influences how people vote. If I were sitting on a $49 million pot of money, advising the AFL–CIO, saying what you want is to get more of your legislation through the Congress, I would say to them: If in fact the $49 million does change the way people vote, why not give the $49 million to the people who are not voting for us? Why not give the $49 million to the Republicans and turn them all into rabid supporters of the AFL–CIO?

Mr. CRAIG. In other words, following the logic that money talks and money influences.

Mr. BENNETT. If we accept that logic, it is perfectly clear it ought to come on this side of the aisle rather than the other.

Let me ask the Senator from Idaho, if he was to suddenly receive in his campaign—through, let us say, the State party of Idaho, because it cannot be given to him directly, there is no way the soft money can corrupt you because you cannot receive it—but, if the AFL–CIO were suddenly to give to the Republican Party of Idaho $1 million in cash, would you change your position on any of the labor issues you have discussed, paycheck protection, for example?

Mr. CRAIG. How can you change your position on things that are fundamentally right in America, such as the right of an individual to control his money or her money for political purposes? Absolutely not.

Mr. BENNETT. I accept the integrity of the Senator from Idaho. Let me ask him, as a member of leadership——

Mr. CRAIG. Remember the New York Times says I am a member of a bordello.

Mr. BENNETT. That is why I am raising the question, because in a bordello you can change what happens by where the money goes, without any question.

Mr. CRAIG. I wouldn't know.

Mr. BENNETT. I have never been in one, but I am at least told that is the way it works.

Let me ask the Senator from Idaho, as a member of the leadership, you know other Members of the Republican Party. Do you know of any Member, on this side of the aisle, who would change his or her position on labor issues if the AFL–CIO were to suddenly put $1 million worth of soft money into his or her State party?

Mr. CRAIG. I not only do not know of anyone, I know if you accused anyone of changing their opinion because of that, you would have a fight on your hands. I do not mean just a verbal fight. I say to anyone who would suggest to any of us that money influences, from the standpoint it is going to change our philosophy, change our attitude or corrupt us, as some Senators have suggested on this floor that it does—out West we call them fighting words. Because you are questioning a person's integrity. You are basically saying they are for sale.

Shame on those Senators who come to the floor to make that kind of suggestion. Maybe they know something we do not.

Mr. MCCONNELL. Will the Senator from Idaho yield for a similar question?

Mr. CRAIG. I am happy to yield.

Mr. MCCONNELL. Most of the Republican Members of the Senate have been vigorous supporters of tort reform, changes in the legal system of this country. I ask my friend from Idaho, if the American Trial Lawyers Association gave $1 million to the Republican National Committee, would that turn the Republicans in the Senate into vigorous opponents of legal reform?

Mr. CRAIG. It not only would not, you are speaking of a fantasy idea that I doubt will ever come to pass. But I thank you for asking that question.

Mr. MCCONNELL. My final question of the Senator from Idaho: Let's assume the National Right to Life Committee contributed $100,000 to the Democratic Senatorial Campaign Committee. Does the Senator from Idaho—of course we are not in the best position to answer this, I don't guess, since it is not our party, but it is still interesting to speculate. Let's assume the National Right to Life Committee gave a $100,000 soft money contribution to the Democratic Senatorial Campaign Committee. I ask my friend from Idaho, does he anticipate at that point the Democrats in the Senate would become pro-life?

Mr. CRAIG. No. I do not believe that a majority of them would. I think their basis for what they call a pro-choice position is one firmly grounded on their philosophy. I don't criticize—I don't agree, but I don't criticize—their right to hold that. But what National Right to Life is saying is that they want to have the right to give the Democrat Party money if they choose to. What they are saying is, we want to have a right to organize individual citizens to come together to pool their money for the purpose of giving it. What McCain-Feingold says is: No, you can't do that.

National Right to Life is saying, in this instance: Give us choice, the right to choose where we want to play in the political process. Don't deny us what is our right as American citizens or an American group to participate in the political process.

Mr. MCCONNELL. I thank my friend from Idaho, not only for responding to our questions but also for another outstanding contribution to this most important debate.

We appreciate his insightful comments. I thank the Senator very much.

Mr. CRAIG. I yield the floor.

Several Senators addressed the Chair.

The PRESIDING OFFICER (Mr. VOINOVICH). The Senator from Nevada.

Mr. REID. Mr. President, I am sorry my friend from Utah last left the floor. The fact is, the political balance of power is already heavily tilted toward corporations, by any study that you find. The fact is, in the last election cycle corporate interests spent about $700 million in political contributions. That is 11 times more than what unions spent. And they did not get the permission of their stockholders. While unions contributed less than 4 percent of the $1.6 billion raised by candidates and parties in 1996, corporations contributed over 40 percent.

So the disparity between corporate and union spending is not static; it is growing. In the next election cycle, instead of 11 to 1, it will probably be 14 to 1. What is so disconcerting about this is for this so-called soft money, it is even wider.

While both corporations and unions have increased their unrestricted so-called soft money contributions, since 1992 corporate spending has grown twice as fast. In 1996, as an example, corporations spent more than $176 million—19 times more than what the unions spent.

There is all this talk about the unions that represent the working men and women of this country spending 4 percent of what is spent in political campaigns. I think it is too bad that working men and women in this country do not have more of a representation. It is getting worse. That is why this legislation is before this body.

I think it is important at this time to recognize the work done by Senator FEINGOLD in making this an issue before the people of America. I applaud and congratulate Senator FEINGOLD for his position based upon what he believes is principle.

He not only talks the game; he lives the game, as indicated in his most recent election. While all over America people were spending huge amounts of soft money, and it was being spent in Wisconsin against Senator FEINGOLD, he refused to take any money even though it was available to him.

So I take this opportunity to say, first of all, let's bring in to proper perspective the disparity between corporate spending and union spending and also to congratulate my friend from the State of Wisconsin.

Mr. SESSIONS. Mr. President, will the Senator yield?

Mr. REID. I am happy to yield for a question.

Mr. SESSIONS. The Senator mentioned $179 million of corporate expenditures. Are those for State and local races also?

Mr. REID. Yes. The fact is, that is a lesser figure. What I did say in the beginning is that in the 1996 election cycle—the one that we have numbers on—corporate interests spent more; in fact, it is almost $700 million in political contributions, which is 11 times more than what unions spent.

Mr. SESSIONS. I do not know about that. But I know Mr. SWEENEY has indicated he had $170-some-odd million, that they would spend $46 million, I believe, on just the 34 Federal congressional races, all of which is very unregulated and underreported, inaccurately reported, of course. But I want to get those numbers straight, whether you are talking about throughout the Nation, including county commission races, State senate races, and all the races.

The numbers are hard to compare. I think the Senator would probably agree with that.

Mr. REID. I say to my friend from Alabama, if we took into consideration State and local races, the corporate skew would be even further out of whack because unions do get involved in local campaigns. But it is usually through the grassroots level and very rarely is it money; where the corporations very rarely are involved in the grassroots activities and are always involved in the money.

So if we added all that, the number may even be more than 11 times more than what the unions spent.

Mr. SESSIONS. Will the Senator yield for one more question?

Mr. REID. I am happy to yield for a question.

Mr. SESSIONS. The numbers I have are that labor spent $370 million per election cycle on campaigns. I am not sure where all the numbers come out, but that is quite a lot.

Would the Senator agree with that? Or does he disagree with those numbers?

Mr. REID. I do not know from where the Senator is getting his numbers. In the previous question the Senator asked, there was $40 million. And now it is how much?

Mr. SESSIONS. Mr. SWEENEY said they were going to spend $46 million in 34 targeted U.S. congressional races.

Mr. REID. Where does this other number come from?

Mr. SESSIONS. The $370 million includes Federal election campaigns.

Mr. REID. Over what period of time?

Mr. SESSIONS. The last election cycle.

Mr. REID. I say to my friend the numbers that he has, I don't know from where they came. I do state that in America we have far too much money being spent, soft money and other kinds of money. The point I was trying to make in my statement in response to my friend from Utah is the fact that corporate spending, by any number you pick, is far out of whack with union spending, whether it is 19 times more or 11 times more. We all acknowledge it is a growing disparity.

The fact is, what is being attempted by my friend from the State of Wisconsin is to stop the flow of all this soft money.

The fact is, there is a lot of talk about union money coming from working men and women in this country. Remember, corporate money is also money that represents shareholders. Certainly, they get no say in how that money is spent.

So I suggest that before we start picking on organized labor, remember, is there anything wrong with the nurses of America, who are included in these numbers—the AFL–CIO, teachers, carpenters, cement finishers—being represented? The answer is, they should be able to be involved in campaigns just as much as somebody who represents tobacco interests and the very large health care industry in America. So they, too, need a voice.

I am glad that voice is being represented by this side of the aisle.

Several Senators addressed the Chair.

The PRESIDING OFFICER. The Senator from Wisconsin.

Mr. FEINGOLD. Mr. President, the Senator from Massachusetts has been waiting a long time.

I will yield to him in 1 minute. But I want to make a quick point with regard to speech comments by the Senator from Colorado.

He and I had a good discussion the other day about this issue. I enjoyed it.

But he said that a soft money ban would be unfair to the Republican Party. And this very much reflects the comments of the Senator from Kentucky, who has made similar comments, that a soft money ban would somehow unfairly limit the ability of the Republican Party, as opposed to the Democratic Party.

I find this very odd, since the comments this weekend of the chairman designate of the Democratic National Committee, the mayor of Philadelphia, Ed Rendell, who is the chair of the DNC, who said in a column, or was quoted in a column by David Broder:

''If the Republicans pass McCain-Feingold, we would be shut down,'' Rendell said.

So both parties apparently think it is the end of the line for them if we ban soft money—but only for one of them. I ask, how is it possible, since this whole soft money thing only happened 3 or 4 years ago in terms of the vast amounts of money? We certainly had political parties before this—pretty good political parties. How can both parties be right? How can the Senator from Colorado be right and Mr. Rendell be right?

The fact is, both parties have become addicted to soft money, and they do not want to give it up. There is no reality to the notion that the parties will be crippled or any particular party would be severely harmed by the soft money ban.

Mr. President, I wanted to make that point. At this point, since we are roughly trying to go back and forth, I hope the Senator from Massachusetts could proceed.

The PRESIDING OFFICER. The Senator from Massachusetts.

Mr. KENNEDY. Mr. President, I notice other colleagues wanting to address the Senate. I would hope and ask consent—I see my colleague on the floor.

Mr. WELLSTONE. Will the Senator yield for a moment? Will the Senator yield?

Mr. KENNEDY. Without losing my right to the floor.

Mr. WELLSTONE. Without losing his right to the floor.

In terms of order, I gather we are still rotating. I ask unanimous consent that on our side I be able to follow Senator KENNEDY. Senator LEVIN may come, in which case I can talk with him about how to proceed. I ask unanimous consent that on our side I be allowed to follow Senator KENNEDY.

Mr. MCCONNELL. Reserving the right to object, I know the occupant of the chair was here to speak earlier. Is the Senator from Ohio going to be in the chair until 3?

The PRESIDING OFFICER. Yes.

Mr. MCCONNELL. I have no problem with the Senator's consent agreement, then, if I may ask unanimous consent that the Senator from Ohio be recognized at 3 to make some remarks. I think that would help accommodate him. Nobody is trying to quiet anyone. I just want to give the Senator from Ohio a chance to get in the debate at 3. Does anybody have a problem with that?

Mr. REID. I have no problem. We will begin rotating at this time. The Senator from Kentucky knows we have already had several speeches from Republicans. We will start now rotating.

Mr. MCCONNELL. I have no objection.

Mr. REID. So after Senator KENNEDY speaks, Senator VOINOVICH may speak. If necessary, you may cover the floor for him.

Mr. MCCONNELL. We will work that out.

Mr. KENNEDY. Reserving the right to object, I only planned to speak for 15 or 20 minutes. I think what the Senator from Kentucky has proposed will certainly be agreeable, if that is all right.

Mr. MCCONNELL. The Senator from Ohio will be recognized after the Senator from Minnesota. We will make sure somebody gets in the Chair and gives him an opportunity to make his remarks.

The PRESIDING OFFICER. Without objection, it is so ordered.

The Senator from Massachusetts.

Mr. KENNEDY. Mr. President, I will put in the RECORD the excellent summaries of total contributions according to the Center for Responsive Politics. That is a nonpartisan watchdog group. We can talk about numbers here and numbers there. However, I think it is important for the RECORD that we have summaries from the nonpartisan groups that have assessed the contributions by unions and corporations—hard money/soft money. As the Senator from Nevada, the Senator from Wisconsin, and others have pointed out, the ratio is about 11 to 1. You can slice it any way you want but the fact remains—it is basically the difference between the contributions, according to nonpartisan groups. Others have other ways of adding and subtracting figures; all well and good.

I ask unanimous consent to print in the RECORD the summary provided by the Center for Responsive Politics because I think it is helpful to have the findings of those who have no ax to grind.

There being no objection, the summary was ordered to be printed in the RECORD, as follows:

[AFL–CIO Fact Sheet]

CORPORATE VS. UNION SPENDING ON POLITICS—THERE'S TOO MUCH MONEY IN POLITICS—BUT IT'S NOT UNION MONEY

The political balance of power is already tilted heavily in favor of corporations. In the 1996 election cycle, corporate interests spent more than $677 million on political contributions—11 times more than unions spent. So while unions contributed less than 4 percent of the $1.6 billion raised by candidates and parties in 1996, corporations contributed more than 40 percent.

The disparity between corporate and union spending is growing. Since 1992 (when the ratio was 9-to-1), corporate political contributions have increased by $229.8 million, while union contributions rose by only $12.1 million.

In ''soft money'' contributions, the gap is even wider. While both corporations and unions have increased their unrestricted, so-called ''soft money'' contributions since 1992, corporate spending grew twice as fast. In 1996, corporations spent more than $176 million—19 times more than unions did.

Corporate special interests are pushing initiatives that would skew the balance even further. By backing special restrictions on unions while imposing no such limits on themselves, big corporations are trying to remove working families and their unions from the political playing field.

Corporations, right-wing foundations and anti-union lobbying groups are raising hundreds of millions of dollars to ''de-fund'' unions. At a recent meeting of the Republican Governors Association, proponents of the initiatives noted that the de-funding ploy has two strategic benefits: If it works, unions will lose funding. Even if it doesn't, unions will be forced to spend millions of dollars in the fight.

Year	Corporations	Unions	Ratio
Total contributions:			
1996	$677,442,423	$60,352,761	11 to 1
1994	492,956,181	48,319,054	10 to 1
1992	447,594,985	48,152,256	9 to 1
Soft money contributions:			
1996	176,108,186	9,505,745	19 to 1
1994	64,753,971	4,293,459	15 to 1
1992	66,342,241	4,251,334	16 to 1
Hard money contributions:			
1996	501,334,237	50,847,016	10 to 1
1994	428,202,210	44,025,595	10 to 1
1992	381,252,744	44,067,720	9 to 1

Source: Center for Responsive Politics.

Mr. SESSIONS. Will the Senator yield?

Mr. KENNEDY. Yes, briefly, without losing my right to the floor.

Mr. SESSIONS. On the number that the Senator said the unions spent, what was that number?

Mr. KENNEDY. According to the Center for Responsive Politics, in 1996, $60 million; 1994, $48 million; 1992, $48 million. On the corporations, $677 million in 1996; $492 million in 1994; and $447 million in 1992. That is total contributions. It works out to a ratio of 11 to 1 in 1996, 10 to 1 in 1994, and 9 to 1 in 1992.

Mr. SESSIONS. Mr. President, I note the Washington Post article I was just looking at indicated there was a $46 million commitment by Mr. Sweeney in this election cycle for just 34 House of Representatives races, so those numbers don't sound accurate to me.

Mr. KENNEDY. In 1996, the unions spent $50 million; the corporations, $501 million. So we are talking 1997, 1998, 1999. That figure may still be consistent with the 10 to 1 or 11 to 1 figure. I don't find that there would be any inconsistency if that were the figure being spent.

I was interested to hear our good friend from Idaho, Senator CRAIG, talking about people worrying at the dinner table about these issues. He mentioned people are much more concerned about what is happening down the street or near the school with regard to a shooting incident. I say that is right. And it is very interesting that I was not able to get a report, as a member of the conference committee on the juvenile violence act, that deals with the availability and the accessibility of

guns to children in our society and of the criminal element. That has been locked up now for some 6 weeks. I don't think anyone on this floor is prepared to say the National Rifle Association doesn't have something to do with that.

He talked about taxes—people are concerned about taxes. People are concerned about tax loopholes as well. How do the tax loopholes get into the Internal Revenue budget? We have $4 trillion of what are called tax expenditures in the IRS at the present time. That is the fastest growing expenditure we have in the Federal budget, the expansion of tax expenditures, tax loopholes. We don't have any debate on it. Many of us have said, let's do for tax expenditures what we do for direct expenditures—when we are cutting back on education and health care; let what is good for the goose be good for the gander. Do you think you can get those issues raised here on the floor of the Senate? Of course not. We all understand why.

It is kind of interesting that those who have been the strongest spokespersons against this proposal also raise incidents in terms of what is on people's minds. It comes back, in many instances, to what the Senator from Arizona and the Senator from Wisconsin have talked about.

This country has waited long enough for campaign finance reform. The current system is shameful, benefiting only the big corporations and lobbyists who have seemingly bottomless barrels of money to spend, while the voice of average citizens goes unheard in the special interest din.

I commend Senator MCCAIN and Senator FEINGOLD for their consistent leadership on this issue. Their commitment to reform gives us an opportunity to join the House of Representatives and cleanse our campaign financing system of special interest abuses. The House took effective action earlier this year, transcending partisan differences to adopt long overdue reforms. The large margin by which the Shays-Meehan bill passed, 252 to 177, demonstrates that the public feels strongly about the need for reform. The Senate should act now to support the McCain-Feingold proposal and give the country clean elections in the years to come.

Effective reform must include a ban on soft money. The McCain-Feingold bill does just that. Soft money contributions are increasing at alarming rates, while hard money contributions are barely rising. In the 1992 Presidential election cycle, both parties raised a total of $86 million in soft money. Compare this to the $224 million total raised in the 1998 election cycle—a 150-percent increase of soft money contributions in only 6 years. A more recent survey shows figures from January to June 1999, soft money contributions totaled $46.2 million—and $30.1 million of that total was given by corporations and business interests. In the 1996 elections, the consumer credit industry alone gave $5.5 million in soft money. True reform means closing this flagrant loophole that allows so many special interests to bypass legal limits on giving money directly to candidates. Until we close it the special interests will continue to strengthen their hold on the political process.

The House reforms also ended other serious abuses in campaign financing. It ends the sham of the so-called issue ads loophole, which permits special interests to spend big money on campaign advertising obviously designed to support a candidate, as long as the ads do not specifically call for the candidate's election. The House bill treats these ads as the campaign ads they really are, and rightly subjects them to regulation under the campaign finance laws.

The Senate should learn from the House, and join in ending these abuses that make a mockery of our election laws. Instead, the Senate Republican leadership is bent on preserving the status quo. They oppose campaign finance reform because they do not want to lose the support they currently receive from their special interest friends.

Our Republican friends say they want to help working families—but their support of the Paycheck Protection Act demonstrates their antilabor bias, because that measure is designed to silence the voice of the American workers and labor unions in the political process. It is revenge, not reform—revenge for the extraordinary efforts by the labor movement in the 1996 and 1998 election campaigns. It imposes a gag rule on American workers, and it should be defeated.

The act's supporters claim they are concerned about union members' right to choose whether and how to participate in the political process. But we know better. The Paycheck Protection Act should really be called the Paycheck Destruction Act. It is part of a coordinated national antilabor campaign to lock American workers and their unions out of politics.

And who is behind this campaign? It is not the workers, unhappy with the use of their union dues for political purposes. It is businesses and their allies, anxious to reduce the role of labor. It is organizations like Americans for Tax Reform, which supports Social Security privatization, vouchers for private schools, and huge tax cuts for the wealthiest Americans. It is think tanks such as the American Legislative Exchange Council and the National Center for Policy Analysis, which support so-called right-to-work laws, the TEAM act, the flat tax, private school vouchers, medical savings accounts, and other antiworker legislation. And it is right-wing Republicans in Congress and in the states.

We know that unions and their members are among the most effective voices in the political process. They support raising the minimum wage, protecting Social Security, Medicare and Medicaid, improving education, and ensuring safety and health on the job.

Silencing these voices of working families will make it easier for those with antiworker agenda to prevail. Sponsors of this legislation support prevatizing Social Security. They favor private school vouchers instead of a healthy public school system. They would undermine occupational safety and health laws, end the 40-hour work week and permit sham, company-dominated unions. They oppose the Family and Medical Leave Act. They want to restrict Medicare eligibility and deny millions of workers an increase in the minimum wage. They are not trying to help working Americans. To the contrary—they are trying to silence the workers' participation in the political process so they can implement an agenda that workers strongly oppose.

Campaign abuses abandon other issues as well. The tobacco industry has made extensive PAC and soft money contributions, and the Senate Republican leadership has rejected much needed antitobacco legislation. The Campaign for Tobacco-Free Kids reports that in the last 10 years, Senators who voted consistently against tobacco reform legislation took far more money from the industry—four times more—than those who supported the bill.

The dabate on the Patients' Bill of Rights is another vivid example of the obstructionist influence of industries and special interests. Since 1997, the health insurance industry has been making huge political contributions to Republicans. Blue Cross/Blue Shield and its state affiliates made $1 million in contributions in the 1997–1998 cycle, with four out of every five dollars going to Republicans. Managed care PACs—including the American Association of Health Plans, the Health Insurance Association of America, and Blue Cross/Blue Shield—gave $77,250 to leadership political action committees. According to the Center on Responsive Politics, all but $1,500 went to the Republican majority.

These contributions bought the industry at least 2 years worth of stall and delay tactics in Congress. And, when the Senate finally passed legislation this year, it was not what patients needed, but an industry bill that places HMO profits ahead of patients' health.

Contributions from the credit card and banking industries have had a similar effect on the bankruptcy reform debate. Master Card, Visa, and others doubled, tripled, or even quadrupled their spending to encourage passage of the bill they wanted. Visa increased its 1998 lobbying to $3.6 million from $900,000 in 1997. Master Card wasn't far behind—their lobbying expenses rose from $430,000 in 1997 to $1.8 million in 1998. In the 1997–1998 election cycle, commercial banks and financial service companies gave $20.8 million in large individual contributions, PAC money and soft money to candidates—

and two-thirds of that total went to Republicans. The result? Legislation that House Committee Chairman HENRY HYDE described as ''pages and pages and pages of advantages [for] the creditor community * * *''

Honest campaign finance reform does not include phony proposals that seek to eliminate political expression by average families. It does include eliminating the flagrant abuses that enable big corporations and special interests to tilt the election process in their favor.

Real reform means giving elections back to the people and creating a level playing field on which all voters are equal, regardless of their income. Broad campaign finance reform is within the Senate's reach. We should follow the example set for us by the House. The greatest gift the Senate can give to the American people is clean elections.

Over the course of debate, we have learned what the other side is against. We rarely learn what they are for. Senator MCCAIN and Senator FEINGOLD have laid out something I think we should be for. In the next few days, hopefully, the American people will speak through their representatives and support those efforts.

One of the provisions we heard a good deal about, again from my friend from Idaho, was the whole question about workers and whether they have control over their dues. Of course, what exists in the McCain-Feingold provision is an incorporation of the Beck decision, which permits workers to check off, at the time they pay their dues, that they are not interested in the political process.

Today, evidently, they want something that is going to be harsher on working men and women. Those forces that are pressing to restrict the voice of working men and women are actually the major interest groups that are strongly opposed to the agenda of working families, whether it has been an increase in the minimum wage, whether it has been HMO reforms, whether it has been education and increasing the education budget. These groups are opposed to workers participating because, in many instances, the workers have been the ones to try to advance these interests on our national agenda.

I think it is important. I don't know how many of us are getting the communications from workers on these particular issues. Yet we have seen what has happened over this past year, whether it has been on the HMO reform—the change in expenditures by the insurance companies at the time when this body was debating whether doctors are going to be the ones who are going to make the decisions on health care for the particular patients, rather than the accountants and insurance industry. Nobody could deny when we were debating those issues that the contributions and expenditures by the insurance companies skyrocketed dramatically, escalated significantly. This is the kind of thing that we are talking about in terms of the impact that campaign finance reform can have.

The PRESIDING OFFICER. The Senator from Kentucky.

UNANIMOUS CONSENT REQUEST

Mr. MCCONNELL. Mr. President, I have a couple of unanimous consent requests, cleared on both sides.

As in executive session, I ask that, at 5:45 today, the Senate proceed to executive session to consider Calendar No. 270, the nomination of Florence-Marie Cooper to be United States District Judge for the Central District of California.

I further ask unanimous consent that the Senate then immediately proceed to a vote on the confirmation of the nomination and, following that vote, the President be immediately notified of the Senate's action and the Senate then return to legislative session.

Mr. MCCAIN. I object.

The PRESIDING OFFICER. Objection is heard.

Several Senators addressed the Chair.

The PRESIDING OFFICER. Does the Senator from Kentucky yield the floor?

Mr. MCCONNELL. Mr. President, I believe we have a consent agreement under which Senator WELLSTONE was to be recognized next. Am I correct?

The PRESIDING OFFICER. That is what I understand.

Mr. WELLSTONE. Mr. President, as I said earlier, when Senator LEVIN came to the floor I would be pleased to yield the floor to him. Senator MCCAIN is here. I ask unanimous consent that Senator LEVIN be allowed to speak, that we then go in order—I understand Senator MCCAIN wants to speak, and I also know that the Chair, Senator VOINOVICH, seeks recognition—and I be allowed to speak after Senator VOINOVICH.

Mr. MCCAIN. Mr. President, I ask unanimous consent that I be allowed to speak after Senator LEVIN.

Mr. WELLSTONE. Then Senator VOINOVICH, and I would follow Senator VOINOVICH.

Mr. MCCONNELL. Reserving the right to object, the Senator from Arizona was not here at the time, but Senator VOINOVICH was waiting patiently a little bit earlier. Would he have any objection to Senator VOINOVICH following Senator LEVIN?

Mr. REID. Mr. President, Senator LEVIN, then a Republican, and then a Democrat.

Mr. MCCONNELL. On this issue.

Mr. MCCAIN. Maybe I can sort it out. Mr. President, I ask unanimous consent that Senator LEVIN, then Senator VOINOVICH, then Senator WELLSTONE, and then Senator MCCAIN be recognized.

Mr. BENNETT. Mr. President, may I add to the request that Senator BENNETT be recognized after Senator MCCAIN.

Mr. MCCAIN. I object to that because we are going back and forth from one side to the other.

Mr. MCCONNELL. The two sides are not parties. The two sides are the issue, and by adding Senator BENNETT and Senator VOINOVICH we get some balance on the issue back and forth, which is what we had been trying to do earlier.

Mr. REID. I think that is appropriate.

Mr. MCCAIN. I agree.

Mr. BENNETT. I renew my unanimous consent request.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. MCCAIN. Could I hear the unanimous consent, just to be sure. Parliamentary inquiry.

The PRESIDING OFFICER. Senator LEVIN, Senator VOINOVICH, Senator WELLSTONE, Senator MCCAIN, followed by Senator BENNETT.

The Senator from Michigan is recognized.

Mr. LEVIN. I thank the Chair and all my colleagues. I particularly thank Senator WELLSTONE for allowing me to go at this time.

Mr. President, our Federal election laws are broken, and the issue before the Senate is whether we want to fix them.

In the 1970s, we passed laws to limit the role of money in Federal elections. Our intent was to protect our democratic form of government from the corrosive influence of unlimited political contributions.

We wanted to ensure that our Federal elected officials were, neither in reality nor in perception, beholden to special interests who were able to contribute large sums of money to candidates and their campaigns.

Our election laws were designed to protect the public's confidence in our democratically elected officials. And for many years our election laws worked fairly well. The limits they set were clear, and those laws are on the books today.

Individuals aren't supposed to give more than $1,000 to a candidate per election, or $5,000 to a political action committee, or more than $20,000 a year to a national party committee, or $25,000 total in any one year. Corporations and unions are prohibited from contributing to any campaign. That is the law on the books today. This is the election law: $1,000 per individual to a candidate in an election; $5,000 to a PAC. It is right in these laws—$5,000 PAC contribution to a candidate.

We are supposed to be limiting contributions to candidates. Yet, over the last few years, we have heard story after story about contributions of hundreds of thousands of dollars from individuals, corporations, and unions, and even about contributions from foreign sources. Then the question is, How is it possible, when the law says $1,000 to a candidate per election, that people can give $100,000, which effectively helped that candidate in that election? How is it possible?

This pretty good law of ours has holes in it, and both parties have taken

advantage of them. There are no longer any effective limits on contributions. That is the bottom line. That is why we hear about a $1 million contribution to the RNC from a corporation, or a half-million-dollar contribution from one couple to the DNC.

The Supreme Court in Buckley surely did not have this in mind. They understood the limits to mean that individuals can't contribute more than the overall $25,000 limit for a calendar year. Look at what they said when they upheld that provision in the law. The Buckley Court described the $25,000 limit as a modest restraint which ''serves to prevent evasion of the $1,000 contribution limitation by a person who might otherwise contribute massive amounts of money to a particular candidate through the use of unearmarked contributions to political committees likely to contribute to that candidate or a huge contribution to the candidate's political party.'' Yet that is exactly what is happening today under the soft money loophole.

So the Supreme Court foresaw that people would try to evade the $1,000 limit unless the Congress put in a $25,000 limit. They said that is one of the reasons the $25,000 limit per year is appropriate.

Yet, under the soft money loophole, precisely what is happening today is that the $1,000 limit has been obliterated, for all intents and purposes. Our task is to make the law whole again and, in making it whole, to make it effective. If we don't, we risk losing the faith the American people have that we represent their interests and that each citizen's voice counts fairly.

The principal culprit in this erosion of our laws is the soft money loophole. Soft money has blown the lid off the contribution limits of our campaign finance system. Soft money is the 800,000-pound gorilla sitting right in the middle of this debate.

Look at the most recent data with respect to soft money contributions. In the 1996 Presidential election year, Republicans raised $140 million in soft money contributions; Democrats raised $120 million. In 1998, even without a Presidential election, Republicans raised $131 million in soft money contributions and Democrats raised $91 million. The 1997–1998 combined soft money total was 115 percent more than the 1993–1994 total. We are told that the soft money contributions in the first half of 1999 have increased 55 percent over the same period in 1997, and they are 75 percent higher this year than they were in the first half of 1995.

The increases are stunning when we look at specific examples. One corporation contributed $270,000 in soft money contributions in the first 6 months of 1997; it contributed $750,000 in the first 6 months of 1999. One union contributed $195,000 in soft money contributions in the first 6 months of 1997; it has contributed $525,000 in the first 6 months of 1999.

Those are the increases we are experiencing. They are out of control. The limits are effectively gone. There are effectively no more limits on contributions that get into campaigns and support candidates.

That is not what the Supreme Court said in Buckley. The Supreme Court said in Buckley it is perfectly appropriate for Congress to limit contributions to candidates and to effectuate that by limiting the total contribution to $25,000 a year that could be made overall as a way of implementing, assuring, that the $1,000 contribution would be upheld and not evaded. Yet with the soft money loophole, we have wiped out the $25,000 contribution limitation. For all intents and purposes, there are no more limits on contributions that effectively assist candidates in campaigns.

One case was discussed in the 1997 hearings. Roger Tamraz was a large contributor to both parties who became the bipartisan symbol for what is wrong with the current system. Roger Tamraz served as a Republican Eagle during the 1980s during the Republican Administrations and as a Democratic trustee in the 1990s during Democratic Administrations. Tamraz's political contributions were not guided by his views on public policy or his desire to support people who shared those views. He was unabashed in admitting his political contributions were made for the purpose of getting access to people in power. Tamraz showed in stark terms the all too common product of the current campaign finance system—using unlimited soft money contributions to buy access. Despite the condemnation by the press of Tamraz's activities, when asked at the hearing to reflect on his $300,000 contribution to obtain access, Tamraz said: I think next time I'll give $600,000.

How do the parties entice wealthy contributors to make large soft money contributions? What they often do is offer access to decision makers in return for tens or hundreds of thousands of dollars in a single contribution. The parties advertise access. It is blatant. Both parties sell access for large contributions, and they do it openly. The larger the contribution, the more personal the access to the decision maker.

We all know about large contributors to the Democratic National Committee being invited to radio addresses given by the President, or to sleep in the Lincoln Bedroom, or to attend one of dozens of coffees with the President at the White House.

Look at this invitation to be a DNC trustee. I believe this is from 1996. For $50,000, or if you raise $100,000, the contributor gets two events with the President, two events with the Vice President, ''invitations to join party leadership as they travel abroad to examine current and developing political and economic issues in other countries,'' and monthly policy briefings with ''key administration officials and Members of Congress.''

It is an open sale of access for large contributions. Does anyone want to defend that at a town meeting in our home States? Does anyone want to hold up this invitation from the Democratic National Committee in a town meeting and ask people whether or not they like this system? If any Members who oppose this bill banning soft money think their position is credible with the public, I challenge those Members to go back to a town meeting and hold up this invitation from the Democratic National Committee or from the Republican National Committee and ask our constituents if they think it is right for $50,000 or for $100,000 a year, if they raise it, to get two meetings with the President in Washington, two meetings with the Vice President in Washington, and have annual meetings with policy makers and elected officials in Washington.

Take a look at the Republican National Committee's 1997 Annual Gala. For $250,000, one gets breakfast with the Majority Leader and the Speaker of the House and a luncheon with the Republican Senate or House Committee Chairman of your choice. By the way, they get that for $100,000; some of the other perks they don't get. All the way down to, I think $45,000, they get lunch with the Republican Chairman of their choice.

How many Members of this body want to take home these invitations, and in a town meeting with a cross section of constituents, hold up that invitation and say, ''is this the way we want to fund campaigns?'' I don't think many Members want to do that.

Mr. BENNETT. Will the Senator yield?

Mr. LEVIN. I am happy to yield to the Senator.

Mr. BENNETT. I ask the Senator if he is saying that this is the only source of access and that only those who give have access?

Mr. LEVIN. No, I don't think that is true.

Mr. BENNETT. When I was on the committee with the Senator, we were debating this issue. I said the best way to get access to me is to be registered to vote in the State of Utah. Then I asked the Senator from Michigan, is that the same thing for himself—that he pays more attention to constituents from Michigan than he does to contributors who come from outside the State.

Mr. LEVIN. I hope so, but that doesn't answer my point.

My point is whether or not we believe for 100,000 bucks we ought to sell access to the President of the United States. That is my question. It is not whether one gets access in other ways. It is whether or not constituents ought to be able to buy, for $100,000, access to the President or have a lunch with the Committee Chairman of their choice.

My question is, How many Members opposing the ban on soft money want to take that invitation to a town meeting and justify it? That is my question. There is an answer to it. The answer will come in whether or not any of my colleagues take these invitations to

town meetings and say: Yes, nothing wrong with saying for $100,000 you can have lunch with the Republican Committee Chairman of your choice.

Try to sell that to the public back home. I don't think we can. I cannot in Michigan; I won't speak for any other State.

That is not what we intended when we put limits on campaign contributions and that is not what the Supreme Court intended in Buckley when they upheld the contributions because they specifically said in Buckley that the $25,000 annual limit on all contributions was intended to avoid evasion of the $1,000 contribution to an individual campaign to make sure they cannot, in effect, give it to a candidate or his or her campaign through a political party.

The answer to my question will come in whether or not any of the opponents to the ban on soft money on these large contributions take these invitations home. And I mean both parties. We have a lot of other invitations, too. We will give Members an invitation of their choice and see whether or not they are comfortable going home to their constituents in a town meeting and saying: I'll defend this $100,000 to buy a meeting with the President, or the Vice President, or a Committee Chairman of choice.

I don't think Members will. We will find out. I want to hear from any of the opponents of the soft money ban as to whether or not they do take that kind of an invitation home—selling access for large contributions—and defend it at a town meeting. I am interested as to whether or not your constituents say there is nothing wrong with that; that is free speech.

That is not what the Supreme Court said in Buckley. They upheld contribution limits as being consistent with the First Amendment. Our institutions in this democracy depend upon the public having confidence in our institutions. When access is sold for a large contribution and someone is told they can have lunch with a Committee Chairman of their choice for $40,000 or a meeting with the President at the White House for $100,000, I think the public is so totally turned off by that kind of flow of money for access that I believe very few will take me up on my challenge to take this invitation back to a town meeting.

One invitation in 1997 to a National Republican Senatorial Campaign Committee event promised that contributors would be offered ''plenty of opportunities to share [their] personal ideas and vision with'' some of the top Republican leaders and senators. Failure to attend, the invitation said, means that ''you could lose a unique chance to be included in current legislative policy debates—debates that will affect your family and your business for many years to come.''

The letter from the Chairman of the National Republican Senatorial Committee invites the recipient to be a life member of the Republican Senatorial Inner Circle: ''$10,000 will bring you face-to-face with dozens of our Republican Senators, including many of the Senate's most powerful Committee Chairmen.'' It goes on and on. That's access. That's what we're opening offering for sale for large contributions and that's what contributors are often buying. There are dozens of examples.

I ask unanimous consent that some of these invitations that are similar to the ones I have read be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

1997 RNC ANNUAL GALA, MAY 13, 1997,
WASHINGTON HILTON, WASHINGTON, DC

GALA LEADERSHIP COMMITTEE

Co-Chairman—$250,000 Fundraising Goal—Sell or purchase Team 100 memberships, Republican Eagles memberships or Dinner Tables.

Dais Seating at the Gala.

Breakfast and Photo Opportunity with Senator Majority Leader Trent Lott and Speaker of the House Newt Gingrich on May 13, 1997.

Luncheon with Republican Senate and House Leadership and the Republican Senate and House Committee Chairmen of your choice.

Private Reception with Republican Governors prior to the Gala.

Vice-Chairman—$100,000 Fundraising Goal—Sell or purchase Team 100 memberships, Republican Eagles memberships or Dinner Tables.

Preferential Seating at the Gala Dinner with the VIP of your choice.

Breakfast and Photo Opportunity with Senator Majority Leader Trent Lott and Speaker of the House Newt Gingrich on May 13, 1997.

Luncheon with Republican Senate and House Leadership and the Republican Senate and House Committee Chairmen of your choice.

Private Reception with Republican Governors prior to the Gala.

Deputy Chairman—$45,000 Fundraising Goal—Sell or purchase three (3) Dinner Tables or three (3) Republican Eagles memberships.

Preferential Seating at the Gala Dinner with the VIP of your choice.

Luncheon with Republican Senate and House Leadership and the Republican Senate and House Committee Chairmen of your choice.

Private Reception with Republican Governors prior to the Gala.

Dinner Committee—$15,000 Fundraising Goal—Sell or purchase one (1) Dinner Table.

Preferential Seating at the Gala Dinner with the VIP of your choice.

VIP Reception at the Gala with the Republican members of the Senate and House Leadership.

(*Benefits pending final confirmation of the Members of Congress schedules.)

DEMOCRATIC NATIONAL COMMITTEE

DNC TRUSTEE EVENTS AND MEMBERSHIP REQUIREMENTS

Events

Two Annual Trustee Events with the President in Washington, DC.

Two Annual Trustee Events with the Vice President in Washington, DC.

Annual Economic Trade Missions—Beginning in 1994, DNC Trustees will be invited to join Party leadership as they travel abroad to examine current and developing political and economic in other countries.

Two Annual Retreats/Issue Conferences—One will be held in Washington and another at an executive conference center. Both will offer Trustees the opportunity to interact with leaders from Washington as well as participate in exclusive issue briefings.

Invitations to Home Town Briefings—Chairman Wilhelm and other senior Administration officials have plans to visit all 50 states. Whenever possible, impromptu briefings with local Trustees will be placed on the schedule. You will get the latest word from Washington on issues affecting the communities where you live and work.

Monthly Policy Briefings—Briefings are held monthly in Washington with key administration officials and members of Congress. Briefings cover such topics as health care reform, welfare reform, and economic policy.

VIP Status—DNC Trustees will get VIP status at the 1996 DNC Convention with tickets to restricted events, private parties as well as pre- and post-convention celebrations.

DNC Staff Contact—Trustees will have a DNC staff member specifically assigned to them, ready to assist and respond to requests for information.

The ''Morning'' Briefing—DNC Trustees will receive daily legislative and executive fax alerts, word on upcoming and current political activities and member survey opportunities.

Multi-Program privileges-participation in BLF and NFC events.

Annual Membership Requirements

A general Trustee membership requires a contribution of $50,000 a year or $100,000 raised.

Mr. LEVIN. One solicitation offered, for a contribution of $10,000, the choice of ''attending one of 60 small dinner parties, limited in attendance to 20 to 25 people, at the home of a Senator, Cabinet Officer, or senior White House Staff member.''

One offer for the Republican Senatorial Trust said, ''Trust members can expect a close working relationship with all Republican Senators, top Administration officials and other national leaders. Personal relationships are fostered at informal meetings throughout the year in Washington, D.C. and abroad.''

Another solicitation went so far as to say that, ''Attendance at all events is limited.'' Listen to this one, ''Benefits are based on receipts''; ''Benefits are based on receipts.'' You can't pledge money—cash must be in hand for that meeting with the chairman of your choice. That's how blatant these offers to purchase access have become.

It is largely because of soft money. The amounts we see on these solicitations, selling access, are not the $1,000 and $2,000 contributions. They are large—$25,000 and $50,000 and $100,000 in soft money contributions. The soft money loophole has increased and intensified the sale of access.

Do these large money contributions create an appearance of personal access and improper influence by big contributors? This is what the Supreme Court said in Buckley v. Valeo. I think they answered that question. The Supreme

Court said there is an appearance of corruption that is created from the size of the contribution alone. They didn't even get to the question of the sale of access. They just said that unlimited contributions inherently create an appearance of impropriety. It is inherent in unlimited contributions. That is the Supreme Court answering, I believe, for the American people. The Court in Buckley upheld contribution limits as a reasonable and constitutional approach to deterring, not actual corruption, but the appearance of corruption. This is what the Court said:

It is unnecessary to look beyond the Act's primary purpose—to limit the actuality and appearance of corruption resulting from large individual financial contributions—in order to find a constitutionally sufficient justification for the $1,000 contribution limitation. Under a system of private financing of elections, a candidate lacking immense personal or family wealth must depend on financial contributions from others to provide the resources necessary to conduct a successful campaign. To the extent that large contributions are given to secure political quid pro quos from current and potential office holders, the integrity of our position of representative democracy is undermined.

And then the Supreme Court said this, ''Of almost equal concern''—the Supreme Court is saying:

Of almost equal concern to actual quid pro quos is the impact of the appearance of corruption stemming from public awareness of the opportunities for abuse inherent in a regime of large individual financial contributions. . . . Congress could legitimately conclude that the avoidance of the appearance of improper influence is also critical . . . if confidence in the system of representative government is not to be eroded to a disastrous extent.

I want to repeat a few of those words:

The impact of the appearance of corruption stemming from public awareness of the opportunities for abuse inherent in a regime of large individual financial contributions. . . .

And that, I believe, is what the American people are most deeply concerned about. We, according to the Court, can correct it.

The Court went on to say:

. . . And while disclosure requirements serve many salutary purposes, Congress was surely entitled to conclude that disclosure was only a partial measure, and that contribution ceilings were a necessary legislative concomitant to deal with the reality or appearance of corruption inherent in a system permitting unlimited financial contributions, even when the identities of the contributors and the amounts of their contributions are fully disclosed.

The Buckley Court repeatedly endorses the concept that the issue of contributions without limits, alone, is enough to create the appearance of corruption and to justify the imposition of limits. Selling access in exchange for contributions would only take the Court's concerns and justifications for limits a step further.

The Buckley Court also said:

Not only is it difficult to isolate suspect contributions but, more importantly, Congress was justified in concluding that the interest in safeguarding against the appearance of impropriety requires that the opportunity for abuse inherent in the process of raising large monetary contributions be eliminated.

Add to the equation the actual sale of access for a large contribution and you have an even greater ''opportunity for abuse'' and the appearance of corruption.

Mr. BENNETT. Will the Senator yield for a question?

Mr. LEVIN. I will be happy to yield.

Mr. BENNETT. I will confess, this whole question of the appearance of corruption bothers me a very great deal. I do not know that the drafters of the first amendment talked about the appearance of free speech or the appearance of a vigorous political debate. So I ask the Senator this question.

Hypothetically, if the Senator from Michigan were to meet with the head of the United Auto Workers on a Monday, in advance of casting a vote on the union's position on the following Tuesday, and vote in favor of the union's position within 24 hours of that meeting, and then on the following Wednesday, within another 24 hours, the union made a very large soft money contribution to the Democratic National Committee—in the opinion of the Senator from Michigan, A, would that be the appearance of corruption; and, B, would that be something he would seek to ban in the name of appearance of corruption?

Mr. LEVIN. Does the question assume that I solicited the UAW for that contribution? That was not clear in the question of the Senator.

Mr. BENNETT. Let us assume the Senator from Michigan did not solicit; that the solicitation came from the Senator from New Jersey in his position—changing it, therefore, from the Democratic National Committee to the Democratic Senatorial Campaign Committee, the solicitation came from the Senator from New Jersey in his posture as chairman of the Democratic Senatorial Campaign Committee.

Mr. LEVIN. The fact I had a meeting with anybody within a day or a week or an hour and voted as that person would have urged me to vote is not the appearance of corruption, in my judgment.

Mr. BENNETT. Nor in mine. But the fact is, there is a chain of events.

Mr. LEVIN. I believe in the view of the American people, and it is a reasonable view which has been sustained by the Supreme Court: Inherent in unlimited campaign contributions, inherent, is an appearance of impropriety which undermines public confidence in our institutions. I believe the same thing. More important, the American people believe the same thing. The timing of it is not the issue. The issue is that the solicitation of unlimited amounts, huge amounts of contributions, and frequently or very often in exchange for access, is inherently inappropriate in a democracy and creates public disrespect and a lack of public support for our democratic institutions.

That is, No. 1, my own belief very deeply. I believe the American people believe that very deeply. Most important, though, in addition to what the American people believe, the Supreme Court has directly said that inherent in unlimited contributions is an appearance of impropriety. The Supreme Court has specifically said that in Buckley. When you put on top of that these kind of sales of access for $50,000 and $100,000 to the President or Committee Chairmen around here, you have, it seems to me, made it triply clear what the Supreme Court did not even need to see or find. They did not even look at the access issue. That was not even in Buckley. But it sure adds fuel to the fire, and that fire is a fire which can burn the institutions of this Government.

That is my judgment. Maybe a majority of us do not feel that way. But, again, I challenge my good friend from Utah. I challenge him, take home one of these invitations and try a town meeting; $100,000 for a meeting with the President, $50,000 for a meeting with the Committee Chairman of your choice. Give it a try at a town meeting. See what they think about it.

I think I know what you will find. Maybe not; I don't represent Utah. I think you will find they would tell my good friend from Utah that this is wrong. This is wrong. Unlimited huge contributions, buying access—which is frequently the case—is wrong. I happen to agree with them.

(Ms. COLLINS assumed the chair.)

Mr. MCCAIN. Will the Senator yield for a question?

Mr. LEVIN. I will yield for a question.

Mr. MCCAIN. Was he aware on Friday Senator KERREY of Nebraska came to the floor and said:

I had the experience of going inside the beast in 1996, 1997, and 1998, when I was chairman of the Democratic Senatorial Campaign Committee. I don't want to raise a sore subject for the Senator from Maine. It changed my attitude in two big ways. One, the apparent corruption that exists. People believe there is corruption. If they believe it, it happens. We all understand that. If the perception is it is A, it is A, even though it may not be. And the people believe the system is corrupt.

The Senator is aware of the statement of the Senator from Nebraska yesterday, which I think is a very precise and informed opinion?

Mr. LEVIN. I thank my good friend from Arizona.

Madam President, what these soft money contributions allow the parties to do is many things, but more and more, pay for ads, TV ads, which are claimed to be about issues but in reality are ads to help candidates.

I want to look at two ads: A Republican ad and a Democratic ad. They both have the same problem.

First, Bob Dole's ad. In this TV commercial, Mr. Dole said: ''We have a moral obligation to give our children in America the opportunity and values of the Nation that we grew up in.''

Then it talks a lot about Bob Dole and his very strong personal qualities. Then it ended by Bob Dole saying, ''It all comes down to values. What do you believe in? What do you sacrifice? And what do you stand for?''

That ad was paid for with soft money contributed by the Republican National Committee. It is viewed as permissible under current law because that ad does not explicitly ask the viewer to vote for or support Bob Dole. It spends its whole time talking positively about his character.

If it added four words at the end, which said, ''Vote for Bob Dole,'' it would be treated as a candidate ad, not an issue ad, and would be subject to hard money limits. Any reasonable person looking at that ad at that particular time in the Presidential season would say: It's not an ad about welfare or wasteful spending; it is an ad about why should we elect that particular nominee.

Democrats avail themselves of the same loophole.

In the 1996 Presidential campaign, the Democratic National Committee ran ads on welfare and crime and the budget which were basically designed to support President Clinton's reelection.

At our hearings on campaign finance reform, Harold Ickes was asked about these DNC ads and to the extent to which people looking at the ads would walk away with the message to vote for President Clinton. And here is what Harold Ickes said. And my good friend from Utah, I think, is nodding because I think he remembers this.

Harold Ickes was asked: Do you think people looking at these ads would walk away from these ads with the message that they should vote for President Clinton? His answer: ''I would certainly hope so. If not, we ought to fire the ad agencies.''

Those kinds of ads are paid for with soft money—so-called—unregulated, unlimited money. They are not supposed to be candidate ads.

So we should not delude ourselves either about what the American people believe this system is all about, and how it is run, and how it sells access for huge contributions. They are not deluded, and we should not be deluded about their feelings about this system. And we should not be deluded about how this money is spent. We should not kid ourselves.

People are arguing that unless we can get the entire original bill which was introduced by Senators McCain and Feingold, we should simply not accept half a loaf, which is what the revised version does. And my answer to that simply is this: I would prefer the original McCain-Feingold bill because I think it is important that we not kid ourselves about issue ads, how they are funded, and what their purpose and intent is. But the sponsors of the bill have indicated—and they are very honest, smart people, with tremendous integrity—that we do not have a chance of getting the original McCain-Feingold approach passed, that our best chance of passing a bill with campaign finance reform in it is to try to ban soft money, to close that loophole, to stop parties and candidates from either soliciting, themselves or through their employees, or through their agents, money which is not regulated by law. And I accept that.

I think if that is the best we can get, if that is going to be the most we can accomplish, that would be a significant accomplishment. It is not my preference, but it would be a significant accomplishment.

I would only say this: To a nation that is hungry for reform, a half a loaf is better than no loaf. I hope that, at a minimum, we will be able to achieve that success this year.

The only way we will do it, I believe, is that when people —if they do—filibuster against this approach, against the ban on soft money, that those of us who support this reform not withdraw from the field.

The civil rights days proved that the only way to get these very difficult reforms achieved is by telling the filibusterers: You have a right to filibuster. That is your right, and we'll protect it. But we don't have to withdraw because you are filibustering. With voting rights, it took four cloture votes and about 6 weeks before cloture was able to be invoked and voting rights passed.

I would hope we would act with the same kind of determination as they did in those days and the same kind of passion as the opponents have against this reform.

Finally, I want to close with a tribute to Senators MCCAIN and FEINGOLD. I know of no two people in this body who have taken an issue as they have and tried as long and as hard as they have to bring this to the fore, to bring this to national attention. They are entitled to the thanks of the Nation for what they are doing.

I want to end my remarks with a personal thank you to our two good colleagues for the fight that they are waging on this reform. It cannot happen without them, without their integrity, without their determination. And they have shown it in the past. I am personally very much in their debt. Much more important, the Nation will always be in their debt for the fight they have waged and are waging and will wage for campaign finance reform.

Mr. REID. Will the Senator yield for a question?

Mr. LEVIN. I would be happy to yield.

Mr. REID. Will the Senator be willing to include me in the statement just made regarding Senators FEINGOLD and MCCAIN?

Mr. LEVIN. Include you in which way? Someone joining me in congratulating and thanking them, or including you as one of the reformers? I am happy to do either one.

Mr. REID. Including me in underlining and underscoring your support for these two men who have done so much to focus attention on this very badly needed reform.

Mr. LEVIN. I do.

Mr. REID. I just completed a campaign where, in the small State of Nevada, with less than 2 million people, we don't know how much was spent, probably about $23 million on the two candidates.

So I certainly, as I had tried to do earlier, direct my attention to the good work they have done. But you said it in a way that I think was graphic. And I want to join your support, if you will allow me.

Mr. LEVIN. I thank my good friend from Nevada, and I think everybody who is supporting this cause thanks him for his support of this effort, as well.

So, Mr. President, this kind of candidate advertising, which should clearly be subject to contribution limits, escapes those limits through the soft money loophole. And it's that soft money loophole that the two amendments before us would close.

Now some of my colleagues argue that if we only close the soft money loophole to political parties, the money we cut off to the parties will be redirected to special interest groups. Well if the Daschle amendment could pass, I would prefer it and I've supported similar proposals for years, because it not only stops the soft money loophole to parties, it stops the use of sham or phony issue ads by third party organizations. But I also say if all we can do is stop soft money to the parties and that money then goes to outside groups, so be it. Candidates and public officials running for reelection won't be raising it, the parties won't be raising it, and the contributors won't be buying access to us with it. This bill would preclude a candidate or office holder from soliciting soft money for private organizations running issue ads. Under this legislation, I couldn't go and solicit money for an outside group to use for issue ads in some campaign. This bill would bar that. Will contributors of these large sums want to buy access to the Sierra Club or the National Rifle Association? Perhaps. If so, let them do it. Will they be able to buy access to us through these unlimited contributions to third parties? No. If that were to occur, then it would be in direct violation of the law. Under this soft money ban, public officials and candidates will be out of the soft money fundraising loop, and that's the important step we'll be taking with this legislation.

To a nation hungry for reform, a half of loaf is better than no loaf.

Mr. President, we've been here before—trying to pass campaign finance reform, trying to stop the explosion of soft money. The question is—will it be different this time? 70% of the American people want campaign finance reform. 70% of the American people want us to clean up our act. We're the only ones who can do it.

The soft money loophole exists because we in Congress allow it.

It is time to stop pointing fingers at others and take responsibility for our share of the blame. Congress alone writes the laws. Congress alone can shut down the loopholes and reinvigorate the federal election laws.

Mr. President, the Reid amendment closes the biggest loophole in our campaign financing system and it restores that system to what Congress intended in the 1970's—that there should be reasonable limits to what a person can contribute to a candidate, a PAC or a party and that unions and corporations should not be allowed to contribute to either parties or candidates. It's that simple. We had that system in the 1970's; it operated pretty well for many years; soft money has torn apart that system, and the Reid amendment puts it back together.

The public is appalled at these huge contributions which buy access to candidates and office holders and fund television ads which are for all intents and purposes about candidates. As the Supreme Court said in Buckley, the appearance of corruption is ''inherent in a system permitting unlimited financial contributions.'' And permitting the appearance of corruption undermines the very foundation of our democracy—the trust of the people in the system. We have the right to protect our democratic institutions from being undermined by the open sale of access for large contributions which people believe reasonably translates into influence. And the greater the purchase price, the greater the perception that access yields influence.

Mr. President, we can't afford to give Mr. Tamaraz a next time. We've got to stop this practice of selling access now. And the amendment before us is the way to do it. It is time to enact campaign finance reform. That is our legislative responsibility. Otherwise we will be haunted by the words of Roger Tamraz that in the next election he will give $600,000.

I yield the floor.

The PRESIDING OFFICER. Under the previous order, the Senator from Ohio, Mr. VOINOVICH, is recognized.

Mr. VOINOVICH. Madam President, this legislation before us today has presented me a dilemma, and that dilemma is that I have been publicly in favor of banning soft money. At the same time, I understand, in my State particularly, our labor unions would not be impacted by this legislation, and for all intents and purposes, they are the Democratic Party in terms of things a party would do traditionally.

I also recognize the fact that we need to raise money for our own campaigns and we need to also support our parties so they can do the job a party should be doing in our respective States and nationally. I recall during my campaign for the Senate, I raised my money the hard way, hard dollars. But I kept worrying, toward the end of the campaign, whether or not soft money would appear from somewhere and whether or not I would be able to counteract that soft money coming into our State. In my particular case, it didn't. I suspect maybe it didn't because they thought I was going to win.

The fact is, I thought about this last weekend. I had intended to come here today and present an amendment that I think would improve the McCain-Feingold piece of legislation. Unfortunately, I understand no amendments are going to be accepted. I was going to ask that the Daschle amendment be laid aside, but I understand such requests have been objected to.

I ask unanimous consent that the amendment I was going to send to the desk be printed in the RECORD and I be given a few minutes to explain what the amendment would have accomplished.

There being no objection, the amendment was ordered to be printed in the RECORD, as follows:

At the end of the bill, add the following:

SEC. ___. MODIFICATION OF CONTRIBUTION LIMITS.

(a) CONTRIBUTION LIMIT FOR CANDIDATES AND POLITICAL PARTIES.—Section 315(a)(1) of the Federal Election Campaign Act of 1971 (2 U.S.C. 441a(a)(1)) is amended—

(1) in subparagraph (A), by striking ''$1,000'' and inserting ''$3,000''; and

(2) in subparagraph (B), by striking ''$20,000'' and inserting ''$25,000''.

(b) AGGREGATE INDIVIDUAL LIMIT.—Section 315(a)(3) of the Federal Election Campaign Act of 1971 (2 U.S.C. 441a(a)(3)), as amended by section 3(b), is amended by striking the first sentence and inserting the following: ''An individual shall not make contributions described in subparagraphs (A) and (C) of paragraph (1) in an aggregate amount in excess of $25,000 during any calendar year.''.

(c) INDEX OF CERTAIN AMOUNTS.—Section 315(c) of the Federal Election Campaign Act of 1971 (2 U.S.C. 441a(c)) is amended—

(1) in paragraph (1), by striking ''subsection (b) and subsection (d)'' and inserting ''paragraphs (1) and (3) of subsection (a) and subsections (b) and (d)''; and

(2) in paragraph (2)(B), by striking ''means the calendar year 1974.'' and inserting ''means—

''(A) in the case of subsections (b) and (d), calendar year 1974; and

''(B) in the case of subsection (a), calendar year 1999.''.

SEC. ___. WORKERS' POLITICAL RIGHTS.

Section 316 of the Federal Election Campaign Act of 1971 (2 U.S.C. 441b) is amended by adding the following:

''(c)(1) Except with the separate, prior, written, voluntary authorization of a stockholder, employee, member, or nonmember, it shall be unlawful—

''(A) for any national bank or corporation described in this section to collect from or assess such stockholder or employee any dues, initiation fee, or other payment as a condition of employment if any part of such dues, fee, or payment will be used for political activities in which the national bank or corporation, as the case may be, is engaged; and

''(B) for any labor organization described in this section to collect from or assess such member or nonmember any dues, initiation fee, or other payment if any part of such dues, fee, or payment will be used for political activities.

''(2) An authorization described in paragraph (1) shall remain in effect until revoked and may be revoked at any time.

''(3) For purposes of this subsection, the term 'political activities' includes communications or other activities which involve carrying on propaganda, attempting to influence legislation, or participating or intervening in any political campaign or political party.''.

Mr. VOINOVICH. My amendment would have leveled the playing field by empowering average Americans over special interests in their ability to participate in the electoral process. I believe the bill before us doesn't do that. I think it further tilts the balance toward a handful of powerful individuals, individuals who have the ability to determine how to spend the dues of some 16 million hard-working men and women. I am quite surprised we haven't heard more about that.

The good thing about this bill is that it will end the enormous corporate donations to political parties, donations that reach into six figures. I was glad the Senator from Michigan made a point of the fact that soft money from corporations does not go only to the Republican Party but goes to the Republican Party and the Democratic Party. Editorially, I suggest the invitations to join the Democratic National Committee or the Republican Committee, in terms of belonging to the club, regardless of what happens to McCain-Feingold, ought to be something to which all of us stand up and object.

I recall, being Governor of Ohio, I never had a fundraiser in the Governor's residence. I tried not to use my office to take money out of the pockets of people who were encouraged to contribute either to my campaign, someone else's campaign, or to the Republican Party. I hope after this is over, all of us will indicate to our parties that the days of the clubs and the rest of it should be over so that people such as Senator LEVIN can't get up and show the ways people are being asked to contribute. I think that is horrible. It sends a bad message to the American people. It certainly adds to the cynicism and is one of the reasons we have fewer people show up on election day.

Unfortunately, a soft money ban without other reforms has the potential to severely impact the ability of our parties to continue their worthwhile activities, including grassroots mobilization and party building. Banning party soft money is an objective I support. However, I am concerned about the devastating impact it could have on the ability of our national parties to cover operating expenses and grassroots activities.

Current contribution limits must be updated. Under current law, an individual can give up to $25,000 per year total in campaign contributions, with a sublimit of $20,000 of that amount to the parties. If we ban soft money contributions to the parties without adjusting total contribution limits, the parties will have to compete with their own candidates for a limited supply of money.

My amendment would fix the problem. It would eliminate soft money and

would create two separate aggregate limits for yearly hard dollar contributions—I am talking about hard dollar individual contributions—a $25,000 limit to candidates and a $25,000 limit to parties. These limits would be indexed to inflation, so once they went into effect, they would go up each year.

In addition to creating new aggregate limits, my amendment would adjust individual campaign contribution limits. As my colleagues know, our current campaign contribution limits are not indexed to inflation; they have remained the same since the law was enacted 25 years ago. Under current law, an individual cannot give more than $1,000 to the general election campaign of a particular Federal candidate in a given year. If this limit had been indexed to inflation, it would be approximately $3,000 today.

Adjusting the individual contribution limits is important for three reasons. That is what my amendment would have done. It would have increased it from $1,000 to $3,000, and then it would have indexed it up each year.

First of all, it would reduce the amount of time candidates spend raising money. The people in this country should know about the hours and hours candidates running for national office and local office spend dialing for dollars. I have already started to raise money for my next campaign for the Senate because I know if I don't spread it out over a long period of time, I will be unable, during my last 2 years in this body, to do the job the people of the State of Ohio have asked me to do. We need to increase that campaign contribution limit.

Second, it would level the playing field for candidates competing against wealthy opponents who are bankrolling their own campaigns. With all due respect to many Members of this body, if we keep going the way we are, people such as GEORGE VOINOVICH will not be able to be in the Senate because we are seeing more and more campaigns bankrolled by individuals who can win primaries and, once the primary is over, they can put their own money into the campaign. Money does have an impact on the results of an election.

Third, it also would relieve the pressure for groups to seek out loopholes to circumvent the campaign finance laws. In fact, many experts believe the reason we have the increase in sham issue ads in the past few years is the tightening of the amount individuals can give in hard dollars. My amendment would address these concerns by increasing the individual campaign contribution limit from $1,000 to $3,000 per election and then adjust it, as I say, each year.

Lastly, one of the greatest areas of abuse in the current campaign finance system is the involuntary use of membership dues by union leaders for political purposes. In addition to making soft money contributions to parties and engaging in issue advocacy, labor leaders also spend millions of unauthorized dollars each election cycle in order to explicitly advocate for labor's preferred candidates among its rank and file, a rank and file which is over 16 million. That doesn't include the millions more that are in their families.

These express advocacy activities include phone banks, get-out-the-vote drives, newsletters, and scorecards. In my State, the Democratic Party does not do it; it is the labor unions that do it. No one, not even union members, is exactly sure how much union leaders spend for these campaign activities because this money is unregulated and thus soft. It is all soft money.

Under McCain-Feingold, party soft money would be prohibited, just as it should be. However, MCCAIN-FEINGOLD would allow this key form of union money to remain entirely unchecked. I just can't understand why those who are promoting McCain-Feingold haven't been willing to take on this particular issue that seems to be put over on the side as not being something that is very important. It is really important to many of us around this country, particularly individuals such as myself who have been the victim of that soft money effort.

Union leaders would be allowed to continue spending millions of dollars of membership dues to support the candidates of their choice and to influence elections, thereby tilting the playing field in favor of union-backed candidates.

We have heard this over and over again today. According to AFL–CIO president John Sweeney, some $46 million in union funds is going to be used to influence this coming election. In the 1996 cycle alone, $30 million was spent. This $46 million is a 53-percent increase in spending from just a few years ago. Think of it, a 53-percent increase in the use of union dues for political purposes.

McCain-Feingold would not regulate any of that incredible amount of money—$46 million. That is just for the Federal candidates. It doesn't talk about the money that is going to be used at the State and local level.

I believe an effective and constitutional way to address this issue is by requiring union leaders to get written authorization from each of their members before they use any portion of their dues for political activities.

I heard earlier about the codification of the Beck decision. While the Beck codification contained in McCain-Feingold bill is a step in the right direction, it would only protect a very small group of people: dues-paying, nonmembers in non-right-to-work States. However, no one should be compelled to give campaign contributions without explicit approval.

I do not come from a right-to-work State. I have people in my State who, in order to get a job, must join the union. Many of those individuals complain to me that they have no control over how their union dollars are being spent. I think those individuals, those hard-working men and women, ought to have the opportunity to say whether or not they want their union dues to be used for political purposes. I can't help but believe that, if they did that, it would not be the great problem some think it would be. But it would cause the unions to go out and really get their people involved and let them make their own decision as to whether or not they want their dues to be used for political purposes.

My amendment would give them the right to know where their hard-earned dollars are being spent. Unfortunately, I have been denied the opportunity to offer that amendment.

The proponents of this bill have utilized parliamentary tactics designed to tie up the Senate without any meaningful discussion of some of these alternatives. That is their right. However, if we don't have a full discussion of this bill—with the ability to amend and make the bill stronger—the proponents of this legislation should not expect Senators to support its passage.

We can debate this bill, amend this bill, and pass this bill in the hope we can get some real change in our current campaign finance system. Unfortunately, it appears that some of my colleagues—and we see this a lot in this body—are interested in scoring political points. This is a problem, and I respect those who have tried to do something about it. But, from my perspective, if we don't allow working men and women who belong to labor unions, the opportunity to decide how their union dollars should be spent, this bill is flawed to the extent that I would vote against it.

I thank the Chair.

Mr. MACK. Madam President, as Congress considers various plans to overhaul the current campaign finance system, I think everyone can agree on one fact: the status quo is indefensible. The system needs to change in order to restore the American people's faith in their government.

The imbalances which exist in our election laws today were created by the Federal Election Campaign Act in the name of equality. They resulted in unfair advantages which are institutionalized in the name of fairness, protecting some forms of political speech while criminalizing others. Enacting more laws along the same lines will only lead us further down the path of destruction. Freedom matters. Freedom works. Free speech works. Free participation works. The current system does not. If we want real reform, we will scrap this bill, repeal current law, and start over.

Campaign finance reformers think the solution is new regulations and methods that I believe work only to preclude participation in politics. They believe that new laws, more restrictions, and additional bureaucracy are the answer. This position is based upon the assumption that current laws are working and they just need a few modifications to make them better. I

strongly disagree. Freedom of expression is an end in itself and can not be subordinated to any other goals of society. Information is the backbone to freedom, ignorance is the backbone to oppression.

Reformers tolerate these inequalities because they believe they will result in lower-cost elections, less influence in the process by special interests, and will make the electoral system more accessible to challengers. Even if these goals could be achieved in this way, the trampling of the First Amendment in the process is unacceptable.

The fact is, current laws do not work. Let's admit that. We wouldn't be debating this issue if they did. They were passed in haste, as a knee-jerk reaction to the Watergate era, and while they were enacted with good intentions, their result has been a disaster. We should recognize that a mistake was made when the Federal Election Campaign Act was enacted, and no modifications to this law will improve the system.

Campaign finance laws restricting free speech should be repealed, and the absolute freedom to engage in the political process should be promoted and defended. The American people should know that their participation is encouraged, respected, and welcome. If that participation includes fully disclosed contributions to candidates and parties, so be it. Disclosure is the key factor here. Let's give the American people some credit. They are smart enough to judge for themselves where conflicts of interest lie. They do not need the bureaucracy of the Federal Elections Commission to police their speech and thwart their involvement. The only job of the FEC should be the posting and reporting of all contributions in a timely manner so that the American people can judge for themselves. Current law is an insult to the intelligence of the American people.

Soft money is perceived as a loophole in current law. Banning soft money is only one more step toward the elimination of free speech in elections. The First Amendment right to freedom of speech is not a loophole. It is a fundamental freedom that protects, among other things, political speech. Again, let Americans decide whether and to what extent they want to participate.

We should be protecting freedom of speech over everything else. We should not enact legislation to preclude the public from voicing their opinions on the work we do here. We may not like what is said about us, but we can all agree that people have a right to speak their mind, especially their political mind.

This bill also recognizes that current law does not protect working Americans' ability to decide which causes they will support. While this bill codifies the Beck decision which enables non-union workers to request a refund for the portion of their union fees used for political causes. If it does not address the concerns of union members who are forced to participate in political causes without their consent.

No American should be faced with the direct or indirect threat of losing their job because of their political beliefs. No one should be forced to participate in advocating for a cause or causes they find repugnant. The rights of individuals to be free certainly extends to their political beliefs and the way in which they choose to participate or not to participate. No forced participation under any guise should be tolerated or encouraged. Let individuals make choices for themselves. That is the most fundamental freedom in a democracy.

A vibrant democracy depends on the ability of all voices to be heard, and how loudly one may wish to speak should be limited only by that individual, not by government. If an individual can and is willing to expend over $1,000 in support of a candidate, they should be able to do so. If they wish to express their support with their time or in any other fashion, then this, too, should be applauded and encouraged. And if individuals wish to ignore the political process altogether, then this, too, is a right to be defended. To tinker with this fundamental right gives power to some at the expense of others.

Finally, I would submit, that we need to re-examine our attitude toward money in the electoral process, and I would propose that spending money to communicate one's message is not the root of all evil in politics. Candidates for public office have the important task of getting their message out to the voters. In statewide races across the country, candidates must spend substantial amounts of money for print and electronic media, since it is the best current method of reaching the maximum audience.

Take a moment and think about the power of the media today—television, newspapers and radio frame the debates of important issues. A candidate must be able to raise enough money to get his or her message out to the public.

When I was campaigning for my Senate seat back in 1988, I faced enormous opposition from the newspapers. Newspapers have vast resources to openly campaign for a candidate. Had I not had the freedom and ability to counter their message, I would not be a Senator today.

True reform will not strip candidates, parties, or individuals of their ability to counter the messages in the media. True reform should recognize the imbalance current law has created, and would seek to level the playing field between candidates and the media. Remember, the First Amendment protects freedom of the press, but it also protects the freedom of individuals to speak loud and clear.

Madam President, I believe in the First Amendment. Protecting that right must be our primary goal.

Mr. WARNER. Madam President, it is unfortunate that the procedural structure that has been erected stands in the way of moving forward on significant and thoughtful reform to our campaign finance laws. I would like to have the opportunity to debate and vote on some of those reforms, particularly the measure offered by Senator HAGEL, but we are precluded from doing so. Today, I want to speak about campaign finance reform legislation I introduced earlier this year and about an amendment I am prepared to offer.

This past May I introduced the Constitution and Effective Reform of Campaigns Act of CERCA, which I first introduced during the 105th Congress. This legislation is the product of 2 years of hearings during my chairmanship of the Rules Committee, discussions with numerous experts, party officials, and candidates, and nearly two decades of participating in campaigns and campaign finances debates in the Senate.

I view my legislation as an opportunity for bipartisan support. It is a good faith effort to strike middle ground between those who believe public financing of campaigns is the solution, and those who believe the solution is to remove current regulations. If offers a package of proposals which realistically can be achieved with bipartisan support and meet the desire of the majority of Americans who believe that our present system can be reformed. In my judgment, we will not succeed with any measure of campaign reform in this complicated field without a bipartisan consensus.

In drafting this legislation, I began with four premises. First, all provisions had to be consistent with the first amendment: Congress would be acting in bad faith to adopt provisions which have a likelihood of being struck down by the Federal courts.

Second, I oppose public financing and mandating ''free'' or reduced-cost media time which in my mind is neither free nor a good policy idea. Why should seekers of Federal office get free time, while candidates for State office or local office—from governors to local sheriffs—do not receive comparable free benefits? Such an inquity and imbalance will breed friction between Federal and State office seekers.

Third, I believe we should try to increase the role of citizens and the political parties.

Fourth, any framwork of campaign reform legislation must respect and protect the constitutional right of individuals, groups, and organization to participate in advocacy concerning political issues.

The McCain-Feingold bill has been debated thoroughly in the Senate, and any objective observer of the Senate would agree that we are genuinely deadlocked. This body needs to move beyond the debate of McCain-Fiengold. I hope that all Members will review my bill as an objective and pragmatic approach to current problems with our campaign system. I commend other Members for coming forward, as I have,

with proposals which objectively represent pragmatic approaches to what can be achieved.

Several of the issues addressed in my legislation have been raised by other Members in the context of this debate. Amendments have been proposed on foreign soft money, increasing the hard dollar contribution limits, and disclosure of last-minute expenditures, among others.

My focus today is how can we expand participation in the political process—both by voters and by potential candidates. I hope that any reform carries with it the opportunity for more small contributors to participate in the political process. And, I hope that reform will bring more candidates into the arena.

To this end, I want to focus on two reforms contained in my original legislation. First, we need to ensure that the average voter can, and will, contribute to the candidate of their choice. The influence of voters on campaigns has been diminished by the activities of political action committees and interest groups. Therefore, I propose a $100 tax credit for contributions made by citizens, with incomes under specified levels, to Senate and House candidates in their states. This credit should spark an influx of small dollar contributions to balance the greater ability of citizens with higher incomes to participate. In addition, the increased individual contribution limit, as proposed by others, should balance the activities of political action committees.

Second, we need to remove barriers to challengers. Compared to incumbents, challengers face greater difficulties raising funds and communicating with voters, particularly at the outset of a campaign. My solution is to allow candidates to receive ''seed money'' contributions of up to $10,000 from individuals and political action committees.

This provision should help get candidacies off the ground. The total amount of these ''seed money'' contributions could not exceed $100,000 for House candidates or $300,000 for Senate candidates. To meet the constitutional test, this provision would apply to both challengers and incumbents alike, but in the case of an incumbent with money carried over from a prior cycle, those funds would count against the seed money limit. In addition, Senate incumbents would be barred from using the franking privilege to send out mass mailings during the election year, rather than the 60-day ban in current law.

But elective office should not be for sale. Campaigns should be competitive. Candidates with personal wealth have a distinct advantage through their constitutional right to spend their own funds. Therefore, if a candidate spends more than $25,000 of his or her own money, the individual contribution limits would be raised to $10,000 so that candidates could raise money to counter that personal spending. Again, to meet constitutional review, this provision would apply to all candidates.

Mr. President, if we can do these two things—enhance citizen involvement, and level the playing field for condidates—we will have made significant progress. Again, I hope the Senate will have the opportunity to address these issues. I was prepared to offer my amendment and I hope I will have the opportunity to do so.

These are the problems which I believe can be solved in a bipartisan fashion. I look forward to working with my colleagues to enact meaningful campaign reform, by looking at creative solutions to address the real problems with our present campaign system.

I ask unanimous consent that the text of the bill summary and the text of my amendment be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

AMENDMENT NO. —

At the end of the bill, add the following:

SEC. ___. ENCOURAGING SMALL CONTRIBUTIONS TO LOCAL CONGRESSIONAL CANDIDATES.

(a) GENERAL RULE.—Subpart A of part IV of subchapter A of chapter 1 of the Internal Revenue Code of 1986 (relating to nonrefundable personal credits) is amended by inserting after section 25A the following:

''SEC. 25B. IN-STATE CONTRIBUTIONS TO CONGRESSIONAL CANDIDATES.

''(a) GENERAL RULE.—In the case of an individual, there shall be allowed as a credit against the tax imposed by this chapter for the taxable year an amount equal to the aggregate amount of contributions made during the taxable year by the individual to any local congressional candidate.

''(b) LIMITATIONS.—

''(1) MAXIMUM CREDIT.—The credit allowed by subsection (a) for any taxable year shall not exceed $100 ($200 in the case of a joint return).

''(2) ADJUSTED GROSS INCOME.—No credit shall be allowed under subsection (a) for a taxable year if the taxpayer's modified adjusted gross income (as defined in section 25A(d)(3)) exceeds $60,000 ($120,000 in the case of a joint return).

''(3) VERIFICATION.—The credit allowed by subsection (a) shall be allowed with respect to any contribution only if the contribution is verified in such manner as the Secretary shall prescribe by regulation.

''(c) DEFINITION.—For purposes of this section—

''(1) CANDIDATE.—The term 'candidate' has the meaning given the term in section 301 of the Federal Election Campaign Act of 1971 (2 U.S.C. 431).

''(2) CONTRIBUTION.—The term 'contribution' has the meaning given the term in section 301 of the Federal Election Campaign Act of 1971 (2 U.S.C. 431).

''(3) LOCAL CONGRESSIONAL CANDIDATE.—The term 'local congressional candidate' means a candidate in a primary, general, runoff, or special election seeking nomination for election to, or election to, the Senate or the House of Representatives for the State in which the principal residence of the taxpayer is located.

''(4) PRINCIPAL RESIDENCE.—The term 'principal residence' has the same meaning as when used in section 121.''.

(b) CONFORMING AMENDMENTS.—

(1) Section 642 of the Internal Revenue Code of 1986 (relating to special rules for credits and deductions of estates or trusts) is amended by adding at the end the following:

''(j) CREDIT FOR CERTAIN CONTRIBUTIONS NOT ALLOWED.—An estate or trust shall not be allowed the credit against tax provided by section 25B.''.

(2) The table of sections for subpart A of part IV of subchapter A of chapter 1 of such Code is amended by inserting after the item relating to section 25A the following new item:

''Sec. 25B. In-State contributions to congressional candidates.''.

(c) EFFECTIVE DATE.—The amendments made by this section shall apply to taxable years beginning after December 31, 1999.

SEC. ___. SEED MONEY TO ENCOURAGE NEW CANDIDATES AND COMPETITIVE CAMPAIGNS.

(a) IN GENERAL.—Section 315 of the Federal Election Campaign Act of 1971 (2 U.S.C. 441a) is amended—

(1) in subsection (a)(1), by striking ''No person'' and inserting ''Except as provided in subsection (i), no person'';

(2) in subsection (a)(2), by striking ''No multicandidate'' and inserting ''Except as provided in subsection (i), no multicandidate''; and

(3) by adding at the end the following:

''(i) MODIFICATION OF LIMITS.—

''(1) SEED MONEY.—

''(A) IN GENERAL.—In the case of a candidate for nomination for election to, or election to, the Senate or House of Representatives, the limits under paragraphs (1)(A) and (2)(A) of subsection (a) for any calendar year shall be an amount equal to 4 times such limit, determined without regard to this section, until such time as the aggregate amount of contributions accepted by a candidate during an election cycle exceeds the applicable limit for a candidate.

''(B) CANDIDATE'S APPLICABLE LIMIT.—The applicable limit under subparagraph (A) with respect to a candidate shall be—

''(i) an amount equal to—

''(I) in the case of a candidate for the Senate, $300,000; and

''(II) in the case of a candidate for the House of Representatives, $100,000,

reduced (but not below zero) by

''(ii) the aggregate amount determined under subsection (j)(1) that the candidate and the candidate's authorized committees have available to transfer from a previous election cycle to the current election cycle.

''(C) TIME TO ACCEPT CONTRIBUTIONS UNDER MODIFIED LIMIT.—A candidate and the candidate's authorized committees shall not accept a contribution under the modified limits of this subsection until the candidate has received notification of the aggregate amount under subsection (j)(2).''.

(b) DETERMINATION OF CONTRIBUTIONS TRANSFERRED FROM PREVIOUS ELECTION CYCLE.—Section 315 of the Federal Election Campaign Act of 1971 (2 U.S.C. 441a) (as amended by subsection (a)) is amended by adding at the end the following:

''(j) DETERMINATION OF CONTRIBUTIONS TRANSFERRED FROM PREVIOUS ELECTION CYCLES.—

''(1) DETERMINATION.—For purposes of subsection (i)—

''(A) in the case of an individual elected to the Senate or the House of Representatives, after the receipt of the individual's post-general election report under section 304(a)(2)(A)(ii) for the election cycle in which the individual was elected, the Commission shall determine the aggregate amount of contributions that is available to be transferred from 1 or more previous election cycles to the current election cycle of the candidate (regardless of whether the amount has been so transferred); and

''(B) in the case of any other individual, the aggregate amount of contributions available shall be zero.

''(2) NOTIFICATION.—The Commission shall notify each candidate of the amount determined under paragraph (1) with respect to the candidate.

''(3) ADJUSTMENT.—On receipt of notification under paragraph (2), the limits under paragraphs (1)(B) and (2)(B) of subsection (i) shall be adjusted accordingly with respect to the candidate.''.

SEC. ___. MODIFICATION OF CONTRIBUTION LIMITS IN RESPONSE TO EXPENDITURES FROM PERSONAL FUNDS.

(a) MODIFICATION OF CONTRIBUTION LIMITS IN RESPONSE TO EXPENDITURES FROM PERSONAL FUNDS.—Section 315(i) of the Federal Election Campaign Act of 1971 (2 U.S.C. 441a) (as added by section ____) is amended by adding at the end the following:

''(2) INCREASE IN LIMIT TO ALLOW RESPONSE TO EXPENDITURES FROM PERSONAL FUNDS.—

''(A) IN GENERAL.—The applicable limit under paragraph (1) for a particular election shall be increased by the personal funds amount.

''(B) PERSONAL FUNDS AMOUNT.—The personal funds amount is an amount equal to the excess (if any) of—

''(i) the greatest aggregate amount of expenditures from personal funds (as defined in section 304(a)(6)(B)) in excess of $25,000 that an opposing candidate in the same election makes; over

''(ii) the aggregate amount of expenditures from personal funds made by the candidate in the election.''.

(b) NOTIFICATION OF EXPENDITURES FROM PERSONAL FUNDS.—Section 304(a)(6) of the Federal Election Campaign Act of 1971 (2 U.S.C. 434(a)(6)) is amended—

(1) by redesignating subparagraph (B) as subparagraph (D); and

(2) by inserting after subparagraph (A) the following:

''(B) NOTIFICATION OF EXPENDITURE FROM PERSONAL FUNDS.—

''(i) DEFINITION OF EXPENDITURE FROM PERSONAL FUNDS.—In this subparagraph, the term 'expenditure from personal funds' means—

''(I) an expenditure made by a candidate using personal funds; and

''(II) a contribution made by a candidate using personal funds to the candidate's authorized committee.

''(ii) INITIAL NOTIFICATION.—Not later than 24 hours after a candidate seeking nomination for election to, or election to, the Senate or the House of Representatives makes or obligates to make an aggregate amount of expenditures from personal funds in excess of $25,000 in connection with any election, the candidate shall file a notification stating the amount of the expenditure with—

''(I) the Commission; and

''(II) each candidate in the same election.

''(iii) ADDITIONAL NOTIFICATION.—After a candidate files an initial notification under clause (ii), the candidate shall file an additional notification each time expenditures from personal funds are made or obligated to be made in an aggregate amount of $5,000 with—

''(I) the Commission; and

''(II) each candidate in the same election.

''(iv) CONTENTS.—A notification under clause (ii) or (iii) shall include—

''(I) the name of the candidate and the office sought by the candidate;

''(II) the date and amount of each expenditure; and

''(III) the total amount of expenditures from personal funds that the candidate has made, or obligated to make, with respect to an election as of the date of the expenditure that is the subject of the notification.''.

(c) DEFINITIONS.—Section 301 of the Federal Election Campaign Act of 1971 (2 U.S.C. 431) is amended by adding at the end the following:

''(20) ELECTION CYCLE.—The term 'election cycle' means the period beginning on the day after the date of the most recent general election for the specific office or seat that a candidate is seeking and ending on the date of the next general election for that office or seat.

''(21) PERSONAL FUNDS.—The term 'personal funds' means an amount that is derived from—

''(A) any asset that, under applicable State law, at the time the individual became a candidate, the candidate had legal right of access to or control over, and with respect to which the candidate had—

''(i) legal and rightful title; or

''(ii) an equitable interest;

''(B) income received during the current election cycle of the candidate, including—

''(i) a salary and other earned income from bona fide employment;

''(ii) dividends and proceeds from the sale of the candidate's stocks or other investments;

''(iii) bequests to the candidate;

''(iv) income from trusts established before the beginning of the election cycle;

''(v) income from trusts established by bequest after the beginning of the election cycle of which the candidate is the beneficiary;

''(vi) gifts of a personal nature that had been customarily received by the candidate prior to beginning of the election cycle; and

''(vii) proceeds from lotteries and similar legal games of chance; and

''(C) a portion of assets that are jointly owned by the candidate and the candidate's spouse equal to the candidate's share of the asset under the instrument of conveyance or ownership but if no specific share is indicated by an instrument of conveyance or ownership, the value of ½ of the property.''.

SEC. ___. LIMIT ON SENATE USE OF THE FRANKING PRIVILEGE.

Section 3210(a)(6) of title 39, United States Code, is amended—

(1) in subparagraph (A)—

(A) in the matter preceding clause (i), by striking ''Congress may not'' and inserting ''the House of Representatives may not''; and

(B) in clause (i), by striking ''60 days (or, in the case of a Member of the House, fewer than 90 days)'' and inserting ''90 days''; and

(2) by striking subparagraph (C) and inserting the following:

''(C)(i) A Member of the Senate shall not mail any mass mailing as franked mail during a year in which there will be an election for the seat held by the Member during the period between January 1 of that year and the date of the general election for that office, unless the Member has made a public announcement that the Member will not be a candidate for reelection to that office in that year.

''(ii) A Member of the Senate shall not mail any mass mailing as franked mail if the mass mailing is postmarked fewer than 60 days before the date of any primary election or general election (whether regular, special, or runoff) for any national, State, or local office in which the Member is a candidate for election.''.

S. 1107—CONSTITUTIONAL AND EFFECTIVE REFORM OF CAMPAIGNS ACT OF 1999

TITLE I—ENHANCEMENT OF CITIZEN INVOLVEMENT

Section 101: Prohibits those ineligible to vote (non-citizens, minors, felons) from making contributions (''hard money'') or donations (''soft money''). Also bans foreign aliens making independent expenditures and codifies FEC regulations on foreign control of domestic donations.

Section 102: Updates maximum individual contribution limit to $2000 per election (primary and general) and indexes both individual and PAC limits in the future.

Section 103: Provides a tax credit up to $100 for contributions to in-state candidates for Senate and House for incomes up to $60,000 ($200 for joint filers up to $120,000).

TITLE II—LEVELING THE PLAYING FIELD FOR CANDIDATES

Section 201: Seed money provision: Senate candidates may collect $300,000 and House candidates $100,000 (minus any funds carried over from a prior cycle) in contributions up to $10,000 from individuals and PAC's.

Section 202: ''Anti-millionaires'' provision: when one candidate spends over $25,000 of personal funds, a candidate may accept contributions up to $10,000 from individuals and PAC's up to the amount of personal spending minus a candidate's funds carried over from a prior cycle and own use of personal funds.

Section 203: Bans use of Senate frank for mass mailings from January 1 to election day for incumbents seeking reelection.

TITLE III—VOLUNTARINESS OF POLITICAL CONTRIBUTIONS

Section 301: Union dues provision: Labor organizations must obtain prior, written authorization for portion of dues or fees not to be used for representation: Establishes civil action for aggrieved employee. Requires employers to post notice of rights. Amends reporting statute to require better disclosure of expenses unrelated to representation.

Section 302: Corporations must disclose soft money donations in annual reports.

TITLE IV—ELIMINATION OF CAMPAIGN EXCESSES

Section 410: Adds soft money donations to present ban on fundraising on federal property and to other criminal statutes.

Section 402: Hard money contributions or soft money donations over $500 which a political committee intends to return because of illegality must be transferred to the FEC and may be given to the Treasury as part of a civil or criminal action.

Section 403: ''Soft'' and ''hard'' money provisions. Soft money cap: no national party, congressional committee or senatorial committee shall accept donations from any source exceeding $100,000 per year. Hard money increases: limit raised from $25,000 to $50,000 per individual per year with no sublimit to party committees.

Section 404: FEC regulations banning conversion of campaign funds to personal use.

TITLE V—ENHANCED DISCLOSURE

Section 501: Additional reporting requirements for candidates: weekly reports for last month of general election, 24-hour disclosure of large contributions extended to 90 days before election, and end of ''best efforts'' waiver for failure to obtain occupation of contributors over $200.

Section 502: FEC shall make reports filed available on the Internet.

Section 503: 24-hour disclosure of independent expenditures over $1,000 in last 20 days before election, and of those over $10,000 made anytime.

Section 504: Registered lobbyists shall include their own contributions and soft money donations and those of their employers and the employers' coordinated PAC's on lobbyist disclosure forms.

TITLE VI—FEDERAL ELECTION COMMISSION REFORM

Section 601: FEC shall develop and provide, at no cost, software to file reports, and shall issue regulations mandating electronic filing and allowing for filing by fax.

Section 602: Limits commissioners to one term of eight years.

Section 603: Increases penalties for knowing and willful violations to greater of $15,000 or 300 percent of the contribution or expenditure.

Section 604: Requires that FEC create a schedule of penalties for minor reporting violations.

Section 605: Establishes availability of oral arguments at FEC when requested and two commissioners agree. Also requires that FEC create index of Commission actions.

Section 606: Changes reporting cycle for committees to election cycle rather than calendar year.

Section 607: Classifies FEC general counsel and executive director as presidential appointments requiring Senate confirmation.

TITLE VII—IMPROVEMENTS TO NATIONAL VOTER REGISTRATION ACT

Section 701: Repeals requirement that states allow registration by mail.

Section 702: Requires that registrants for federal elections provide social security number and proof of citizenship.

Section 703: Provides states the option of removing registrants from eligible list of federal voters who have not voted in two federal elections and did not respond to postcard.

Section 704: Allows states to require photo ID at the polls.

Section 705: Repeals requirement that states allow people to change their registration at the polls and still vote.

Mrs. MURRAY. Madam President, I rise today in support of meaningful campaign finance reform. It is high time that this Congress act to improve our political process and to restore faith in our democracy. In fact, it is past time.

When I was elected by the people of my State in 1992, one of the key things they asked me to do was to help fix our campaign finance system. I have been part of the reform effort since I walked through these doors.

Well, here it is, 7 years later. And it's the same old story. Campaigns still cost too much money. And too often, the power of ideas is pushed aside by the power of money. That is not the way our system should work. We need to do all we can to show the American people that their voices count—and to provide that their voices will be heard over the roar of special interest money.

Overall, I do think we have made some positive changes in the way the Capitol operates since my election. I do think we have addressed some of the issues families care about. But our campaign finance system still undermines our best efforts—draining public interest in our political process and sapping the energy from American voters in ways that will affect our democracy for years to come.

The opponents say the public doesn't care about campaign finance reform. But, in fact, the role of money in our elections and the rise of special interest influence have a profound—and very negative—effect on public perception of politics. Many people believe that Members of Congress are controlled by special interests and wealthy donors—and are no longer listening to their concerns. It keeps them from voting and from participating in the decisions that affect their lives.

We are here to represent the people of our States. As a representative of working Americans, I have felt from the beginning that it is my duty to ensure their voices and concerns are heard loudly and clearly in the political process. If my constituents believe they aren't being heard and that is partially due to the influence of special interests, then I must do something about it. This legislation is an opportunity to act.

I think this legislation could go further, for example, in the way it treats types of advocacy. Express advocacy is designed to get the public to vote for or against a specific candidate. For that reason, express advocacy is regulated. There is another type of advocacy that is not regulated. It's called ''issue advocacy.'' Issue advocacy campaigns were intended to allow groups and individuals to communicate their support or opposition to particular policy issues. Unfortunately, these activities have become organized campaigns run by partisan groups to influence the election or defeat of a particular candidate. At a minimum, the public has a right to know who is funding these so-called ''independent expenditures'' by requiring the producers of these campaigns to disclose their contributors. A earlier version of this bill would have made issue advocacy subject to similar restrictions as express advocacy. That is one of the improvements I would like to see as we go through the amendment process.

But there are other amendments that would weaken the bill's provisions and could kill this legislation. One is the so-called Paycheck Protection Act. It is a poison pill to kill true campaign finance reform. This provision would defund unions by setting up barriers to their obtaining union dues to spend on political activities. However, the Republican Paycheck Protection Act misses the target. Despite the rhetoric, no worker is ever forced to join a union or pay for political and legislative activities with which he or she does not agree. Never. But the vast majority of unions—and their supporters—believe their voices are critical to a strong healthy economy and to strong, healthy families. And I agree with them.

I am not optimistic about this process. We have some very determined foes who oppose any attempt at reform. While we have 100 percent of the Democratic caucus and a handful of brave Republicans, it appears we do not have 60 votes to stop a filibuster against reform. This makes me unhappy, but not willing to give up.

I will continue to participate in the coalition of those Senators pushing for reform. I will keep my commitment to bring public faith back into our political system and to return political power to our citizens. And I will anxiously await the day when 60 of my Senate colleagues agree with the American people that now is the time for campaign finance reform.

Mr. HATCH. Madam President, last Thursday, I listened aghast to the exchanges among Senators MCCAIN, BENNETT, FEINGOLD, MCCONNELL, and GORTON concerning the implication that an appropriation was provided to a project in my home in exchange for campaign money.

While my junior colleague from Utah made the case commendably, I do feel compelled to respond for myself since I have actively sought and promoted these appropriations for my State.

The Senator from Arizona seems to have confused representation with corruption.

Since when does standing up for one's State, its local governments, or its people constitute corruption?

I was under the impression that this is what we were sent here to do.

The Senator from Arizona is way out of line when he suggests that my colleague, Senator BENNETT, has done even one thing even remotely improper in advocating for our State and for the help necessary to host the 2002 Winter Olympic Games. He should include me in that accusation as well.

My definition of ''pork'' is an appropriation that is unjustified (i.e., unneeded), not meritorious (i.e., the proposal is poorly conceived or too expensive), or it is solely to benefit the entity receiving the appropriation. The project that the Senator has labeled as ''pork'' is none of those things.

First, Salt Lake City was America's choice to host the Olympic games. These are America's games. There are certain things we are going to need help with and that can appropriately be done by the federal government.

The so-called pork barrel project he has cited was for Ogden, UT, for water, sewer, and storm water improvements. The Senator from Arizona has intimated on his website that this project received appropriated funds because members of the Senate—and I presume he means me and Senator BENNETT—have been improperly influenced by soft money.

I wonder if my colleague has actually thought about that. Does he really believe that Ogden, UT, is so tremendously wealthy that it can make campaign contributions or that its citizens would even countenance such a thing to achieve this project grant? Does the Senator from Arizona hear how ridiculous this sounds?

I have thought, while listening to the Senator's remarks, that we have been debating that old question about the tree falling in the forest. If a dollar flows into a campaign chest, but no one takes any action in relation to it, does that make it corrupt? Is acceptance of any campaign contribution de facto corrupt? That certainly seems to be what Senator MCCAIN is saying.

I was stunned by the personal nature of the Senator's remarks last week, particularly as regards my colleague Senator BENNETT, and most particularly since Senator MCCAIN could not

seem to cite any specific evidence that this line item for sewer improvements was included as a payoff for a soft money—or hard money for that matter—contribution.

No, the best he could do is to say that the appropriation was not authorized.

I am the chairman of the Judiciary Committee—it is an authorizing committee. And, I can't tell you the number of times I have debated jurisdiction with the Senator from Arizona. I am well aware of how strongly he feels about the authorization process. I agree with him on that.

But give me a break. The Judiciary Committee is not going to authorize every individual grant to a law enforcement agency. I can't believe the Senator wants to authorize $2 million for water, sewer, and storm water improvements in Ogden, UT.

And, I suspect that, if he were to be a spectator at the Olympic downhill in 2002, and he needed to use the restroom, he would appreciate those sewer improvements.

Moreover, the authorization process is not the good housekeeping stamp of approval. If campaign contributions can taint the appropriations process, they can also taint the authorization process. The logic of the Senator from Arizona is false on this point.

I will second the remarks made by Senator MCCONNELL with respect to the tenor of this debate. One would have hoped that we could debate our respective ideas about campaign finance reform without getting into accusing one another of soft money-for-pork deals.

But, I hope my colleagues will listen carefully when the Senator from Arizona and the Senator from Wisconsin attempt to smooth things over by saying, ''we're not accusing you; it's the system.''

If these colleagues are not accusing us, then why do we need this bill? If members have not engaged in abuses—then this bill has no basis.

When I was a youngster I remember being terribly irritated when the teacher made the whole class stay after school because a couple of my classmates misbehaved. I remember too that sometimes the punishment was that the rules governing library privileges or playground activity became stricter because certain classmates broke the old ones.

Today, our Government reacts much the same way when there have been abuses of freedome—we want to legislate a means of prevention. We want to tighten up the rules.

Because the people are justifiably outraged at abuses, particularly at breaches of their trust, we feel compelled to respond.

We think if we rail loudly in sympathy with their outrage and introduce bills to address the cause of it, the people will think we are above it and have nothing to do with the dirty business. But, me thinks some doth protest too much. (So there will be no misunderstanding, I refer here to the Clinton administration which has yet to sanction the appointment of an independent counsel to investigate the alleged campaign finance violations involving contributions to the Democratic National Committee.)

At the end of the day, the people will not be fooled. While there is no doubt in my mind that those who favor the McCain-Feingold legislation do so with the purest of motives, and I respect their views, I believe that what the people really want is not new law, but honest politicians. And, that, I say to my colleagues, cannot be legislated.

Moreover, to the extent that there have been abuses of campaign integrity, let alone existing law, the problem is not the lack of regulation, but the violation of it. Our efforts might be better spent in toughening both public and private oversight, enforcement, and penalties on the offenders.

But, we are instead debating legislation that would impose significant new regulations on the way we undertake the most fundamental of all American freedoms—elections for public office.

What on earth are we doing? Why are we even contemplating such sweeping changes—changes that would inevitably dampen free speech in our country? Changes that would damage the ''checks and balances'' that are inherent in our two-party system?

Well, in light of recent abuses of freedom in campaign fundraising and in light of what we politicians perceive to be mounting dissatisfaction among the electorate, we are debating a proposal for a new law.

That'll fix it. We will all put out our press releases. We will congratulate each other on our so-called ''reform'' legislation. And, if it's a ''reform'' bill, it must be good, right?

With all due respect to my colleagues Senators MCCAIN AND FEINGOLD, who have been working on this legislation for a long time and who I know are sincerely dedicated to improving our campaign process, I must say that, if we pass their bill, we will deliver broad-based reforms which we perceive to be popular at the moment. But, we will also be fundamentally changing the relationship between those running for public office and those who elect them for the long term. We will be imposing significantly more regulation governing who can give what to whom as well as how support can be given and how it can be received.

Let me comment briefly on this relationship. We all understand it—or we should.

When we throw our hats in the ring for public office, we do so because we believe we have ideas and a point of view that would benefit our home state constituents and our country. And, I think it is safe to say that we don't do it for the money—and we have pretty well ''deperked'' this place as well.

But, our success depends on the support of others. Our candidacies all began in someone's office or living room. There may have been 3, 5, 10, 15 people in the room. The first order of business was to get our views and ideas before the people with the hope that our platform would appeal to enough people that they would join our bandwagon.

How do you grow a campaign? First, people have to know who you are. So, you print some posters and campaign buttons. I might add that when I first ran in 1976, having never held public office before and running against a 3-term incumbent senator, I needed a lot of signs.

Then, since you can't really get much substantive information on a yard sign or button, you need some brochures. You need to put out some press releases. You need to buy some TV and radio advertising.

Assuming you get some positive response from the people to your views, you will need to hire some staff to organize volunteer efforts and precincts. Later on, you will need to have some phone banks and a get-out-the-vote program.

All of this requires money—that people who believe in your candidacy donate to your campaign. This is not money that is taxed and apportioned by some governmental entity. It is money voluntarily given because, in giving it, people are expressing their preferences for those who will represent them. It could be one dollar or a thousand dollars, but the act of contributing to a candidate for public office is an exercise of political freedom.

Now, the McCain-Feingold bill, for all of its good intentions, fails this crucial test: it imposes new restrictions on how people can participate financially in campaigns.

Previous incarnations of the McCain-Feingold bill would have outlawed all soft money contributions and issue advocacy by special interest groups.

The argument goes that sophisticated organizations are manipulating candidates and elections by donating large amounts of money. And, the argument goes further that this manipulation is poisoning the political process for all citizens.

So-called coffees at the White House, nights in the Lincoln Bedroom, receptions at Buddhist temples, fundraising from taxpayer-maintained territory, specious connections to foreign governments—that is what has affected people's faith in the electoral process. It isn't the direct mail letter, the cocktail reception, or the $10 per person summer weinie roast. People are pretty savvy. They know we have to raise the money to run, and they know it's not cheap.

But, this year, Senators MCCAIN and FEINGOLD have apparently accepted that their proposed ban was blatantly unconstitutional. They have opted for a half-ban—a ban on soft money contributions from political parties, but not on non-party organizations.

Let's be clear about one thing: political parties are already regulated by

law and regulation. These contributions and expenditures are already controlled. The Republican or Democratic National Committees cannot so much as buy a legal pad with 100 percent soft money.

This ban on party soft money merely elevates the importance of special interest soft money, which Senators MCCAIN and FEINGOLD have declared to be society's biggest evil. The League of Women Voters, which previously supported the McCain-Feingold bill, has now asked Senators to oppose it because it not only fails to correct the problem of soft money influence as they see it, but exacerbates it.

Additionally, this half-ban on soft money from political parties and its concomitant increase in the importance of special interest groups, serves to weaken our political parties.

I recognize that many Americans are frustrated with both parties—and, I admit, often for good reason. But, the fact is that a strong two-party system is what keeps American government working. Nations with multiparty systems often have extreme difficulty finding consensus and are plagued with frequent reversals in ministerial leadership, national policy, and unstable markets given political uncertainty.

The American two-party system is a healthy competition of ideas and viewpoints. And, national parties should not be curtailed in their efforts to build their state and local infrastructures and to support their slates of candidates.

A ban on the ability of national parties to send money to state and local parties and to candidates is like telling a major league baseball team that it cannot support its farm teams or give a bonus to its promising players.

Last, but certainly not least, the revised McCain-Feingold bill remains constitutionally specious.

Despite the sponsors recognition that the ban on all soft money violated free speech rights under the Supreme Court's decision ion Buckley v. Valeo, the half-ban still skates on very thin ice.

The Court stated:

> The First Amendment denies government the power to determine that spending to promote one's political views is wasteful, excessive, or unwise. In the free society ordained by our Constitution, it is not the government but the people—individually as citizens and collectively as associations and political committees—who must retain control over the quantity and range of debate on public issues in a political campaign.

But, the bottomline for today is that, quite simply, political parties are entitled to promote their views. The McCain-Feingold bill would compromise that right.

Medicare, Social Security, tax cuts, balanced budgets, and health care have all been the subject of issue advertising. And, neither Republicans nor Democrats should be ''gagged'' by the provisions of this bill. Since a political party exists to promote a particular viewpoint or philosophy of government, the McCain-Feingold proposal quite simply infringes on its right to do so.

But, unlike my school teacher's withholding recess, the McCain-Feingold proposal is not a simple trade-off of privileges for accountability. It asks Americans to exchange a fundamental freedom, which is coveted throughout the world, for the vague promise of curtailing the influence of special interests in elections.

But, here again, the McCain-Feingold proposal misses the mark. Who are the special interests? I submit that the ''special interests are us.''

One man's greedy special interest is another man's organization standing up for truth and the American way. It is impossible for this Congress—or any Congress—to make this distinction.

The prohibition on party soft money suggested by the McCain-Feingold bill does not even allow the people to exercise their own judgments about the propriety of an expenditure or even about the candidates or the issue. It simply outlaws soft money activity out of hand.

Some have said to me, ''But this is a bipartisan bill. It is a good compromise.'' My response must be that just because a measure is bipartisan and called ''reform'' does not make it good.

Moreover, I remind my colleagues that the original plaintiffs in this suit included James Buckley, the conservative Senator from New York and Eugene McCarthy, liberal former Senator from Minnesota.

The diverse coalition of groups who have led the opposition to previous versions of McCain-Feingold include the National Right to Life Committee and the American Civil Liberties Union.

In my view, Mr. President, this is not campaign finance reform. No legislation, certainly nothing called ''reform,'' should leave the people with less freedom.

Let's look at this issue.

Many pundits and many colleagues here in Congress perceive that the American people think that our government has become too fraught with special interest influence, bought with special interest campaign contributions. We have all heard voters voice their frustrations about government. Given some of the games we play up here that affect necessary legislation—such as the bankruptcy bill to name just one example—this attitude is not surprising or unwarranted.

It may be a mistake to interpret these frustrations as widespread cynicism about the influence of special interests rather than about the government's inability to enact tax relief, inertia on long-term Social Security and Medicare reforms, and the tug-of-war on budget and appropriations.

Nevertheless, it goes without saying that maintaining the integrity of our election system and citizens' confidence in it has to be among our highest priorities. The question is: what is the right reform?

The best way to reform our campaign finance system is to open it up to the light of day and to allow citizens to make the judgments about how much influence is too much.

For example, some people may believe that a single dollar from a tobacco PAC, an environmental lobby, or the AFL–CIO is too much. For others, such contributions may not be as much of a concern.

Under a system of more prompt, user-friendly disclosure, people can compare the source of contributions with votes cast by the candidate. They can decide for themselves which donations are rewards for faithfulness to a principle and representation of constituents and which contributions might be a quid pro quo for special favors.

I had planned to offer a substitute amendment to S. 1593. I called my proposal the ''Citizens' Right to Know Act.'' It would require all candidates and political committees to disclose every contribution they receive and every expenditure they make over $200 within 14 days on a publicly accessible website. This means people will not have to wade through FEC bureaucracy to get this information, and the information will be continuously updated.

Further, my proposal would encourage—not require—non-party organizations to disclose expenditures in a constitutionally acceptable manner the funds that they devote to political activity. Organizations that chose to file voluntary reports with the FEC would make individual donors to their PACs eligible for a tax deduction of up to $100.

This provision is designed to encourage voluntary disclosure of expenditures of organizational soft money. Those organizations that did so would be shedding light on campaign finance not because they have to, but because it furthers the cause of an informed democracy.

An article in the Investor's Business Daily quoted John Ferejohn of Stanford University as writing that ''nothing strikes the student of public opinion and democracy more forcefully than the paucity of information most people possess about politics.''

The article goes on to suggest that ''many reforms, far from helping, would cut the flow of political information to an already ill-informed public.''

Citing a study by Stephen Ansolabehere of MIT and Shanto Iyengar of UCLA, which demonstrates that political advertising ''enlightens voters,'' the IBD concludes that ''well-informed voters are the key to a well-functioning democracy.'' [Investor's Business Daily; 9/20/99]

Morton Kondracke editorializes in the July 30, 1999, Washington Times, ''Full disclosure would be valuable on its merits—letting voters know exactly who is paying for what in election campaigns. Right now, campaign money is going increasingly underground.''

This is precisely the issue my amendment addresses. My amendment, rather than prohibit the American people from having certain information produced by political parties, it would open up information about campaign finance. Knowledge is power. My proposal is predicated on giving the people more power.

Additionally, my legislation will raise the limits on individual participation in elections. Special interest PACs sprung up as a response to the limitations on individual participation in elections. The contribution limit for individuals is $1000 and it has not been adjusted since it was enacted in 1974.

Why are these limits problematic? The answer is that if a candidate can raise $5000 in one phone call to a PAC, why make 5 phone calls hoping to raise the same amount from individuals? My legislation proposes to make individuals at least as important as PACs.

My bill also raises the 25-year-old limits on donations to parties and PACs. It raises the current limits on what both individuals and PACs can give to political parties.

As the League of Women Voters has correctly pointed out, the activities of political parties are already regulated, whereas the political activities of other organizations are not. If we are concerned about the influence of ''soft'' money—that is, money in campaigns that is not regulated and not disclosed—and cannot be regulated or subject to disclosure under our Constitution—then we ought to encourage—not punish—greater political participation through our party structures.

We need to put individuals back as equal players in the campaign finance arena. Special interests—both PACs and soft money—have become important in large part because current law limits are not only a quarter century old, but are also higher for special interests than individuals.

The McCain-Feingold approach represents a constitutionally specious barrier to free speech. It would, by law, prohibit political parties from using soft money to communicate with voters.

My amendment, in contrast, does not prohibit anything. It does not restrict the flow of information to citizens—it does not restrict freedom. On the contrary, my amendment recognizes that citizens are the ultimate arbiters in elections. They should have access to as much information as possible about the candidates and the positions they represent.

Thus far, the information that is available to voters about campaign finance has been difficult to obtain and untimely. My amendment, by empowering votes with this information, will put the role of special interests where it rightfully belongs—in the eye of the beholder, not the federal government.

I regret very much that Senator DASCHLE has elected to use this parliamentary tactic—filling the amendment tree and objecting to consideration of other amendments—to foreclose all other amendments. He has put the Senate in a take-it-or-leave-it situation.

Some of us had ideas for amendments to the McCain-Feingold bill—or, such as the ''Citizens' Right to Know Act,'' a proposal for a complete substitute. The opportunity for amendments, however, has been scuttled.

The proponents evidently believe they have done such a marvelous job that they refused to consider any other amendment when Senator MCCONNELL asked consent to do so last Friday.

The proponents of McCain-Feingold will no doubt hit the airwaves and say that the opponents do not support reform. They will say that we voted to keep the status quo, that we support the so-called insidious corruption of soft money.

These would be false statements. Many of us do support reform—we simply want it to be fair and respectful of constitutional protections.

There is no righteousness whatsoever in voting for a reform bill that limits freedom.

I would have liked to offer my proposal. I would have liked the Senate to consider the merits of its approach.

But, inasmuch as I will not be able to do that, and other senators who may have supported my alternative will not be able to vote for it, we are left with the Reid amendment, which does not even contain the amendments offered by the Senator from Kentucky to beef up internal procedures for accountability.

We are left with an unamended, constitutionally flawed piece of legislation that has the effect of further bureaucratizing our electoral processes and gagging our two most prominent political organizations, thus shielding the people from information as if they are incapable of making evaluations on their own.

If this is ''reform,'' it is not reform worthy of support.

The PRESIDING OFFICER. Under the previous order, the Senator from Minnesota is recognized.

Mr. MCCONNELL. Will my friend yield for a moment for me to make a comment to the Senator from Ohio?

Mr. WELLSTONE. Yes.

Mr. MCCONNELL. I thank my friend from Ohio. I listened carefully to his remarks. He accurately pointed out that labor unions are the only organizations in America that can raise political funds and spend them on whatever they choose to without the consent of the donor, which is an aberration. Everybody else in the political system has to raise money from voluntary donations. They have to ask for it. I thank my friend for pointing out that there really can't be any campaign finance reform that is meaningful without addressing this extraordinary abuse. I appreciate very much his comments on this debate.

Mr. VOINOVICH. I thank the Senator from Kentucky. While I am in this body, I am going to continue to try to work with other people to see if we can't come up with something to ban soft money and deal with some of the problems I discussed, which would have been in my amendment.

The PRESIDING OFFICER. Under the previous order, the Senator from Minnesota, Mr. WELLSTONE, is recognized.

AMENDMENT NO. 2306 TO AMENDMENT NO. 2298

(Purpose: To allow a State to enact voluntary public financing legislation regarding the election of Federal candidates in such State)

Mr. WELLSTONE. Madam President, I send an amendment to the desk and ask for its immediate consideration.

The PRESIDING OFFICER. The clerk will report.

The legislative assistant read as follows:

The Senator from Minnesota [Mr. WELLSTONE] proposes an amendment numbered 2306 to amendment No. 2298.

Mr. WELLSTONE. Madam President, I ask unanimous consent that reading of the amendment be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment is as follows:

At the end of the language proposed to be stricken, add the following:

SEC. . STATE PROVIDED VOLUNTARY PUBLIC FINANCING.

Section 403 of the Federal Election Campaign Act of 1971 (2 U.S.C. 453) is amended by adding at the end the following: ''The preceding sentence shall not be interpreted to prohibit a State from enacting a voluntary public financing system which applies to a candidate for election to Federal office, other than the office of President or Vice-President, from such State who agrees to limit acceptance of contributions, use of personal funds, and the making of expenditures in connection with the election in exchange for full or partial public financing from a State fund with respect to the election, except that such system shall not allow any person to take any action in violation of the provisions of this Act.''.

Mr. MCCONNELL addressed the Chair.

The PRESIDING OFFICER. Does the Senator from Minnesota yield for an inquiry?

Mr. WELLSTONE. I don't yield the floor, but I will yield for an inquiry.

Mr. MCCONNELL. My inquiry is this: Is the Senator from Kentucky correct that this amendment is offered to what we call around here the other side of the tree?

The PRESIDING OFFICER. The Senator is correct.

Mr. MCCONNELL. Is the Senator from Kentucky also correct that if cloture were invoked on either of the cloture motions tomorrow, this amendment would be wiped out?

The PRESIDING OFFICER. The Chair informs the Senator that the amendment would not fall if it is germane.

Mr. MCCONNELL. Germane, postcloture?

The PRESIDING OFFICER. The Senator is correct.

Mr. MCCONNELL. I thank the Chair.

The PRESIDING OFFICER. The Senator from Minnesota is recognized.

Mr. WELLSTONE. Madam President, first of all, let me say to my colleagues that I wanted to bring this amendment to the floor because I thought we should get on with business and have up-or-down votes on amendments that deal with this, I think, critically important question.

Let me start out with some context. This is an editorial from the New York Times, which actually was written Tuesday, October 20, 1998. The title is ''A Grass-Roots Message On Reform.''

This deals with some of the victories that have taken place around the country; namely, two initiatives; one was in Massachusetts and one in Arizona. Of course, the Presiding Officer knows this all started with Maine, and then there was Vermont. I am talking about the clean money/clean election option. This is an editorial that talks about the momentum at the State level.

What has happened is, a good many States in our country have partial public financing. In Maine, Vermont, Massachusetts, and also Arizona, citizens of those States have decided that if people running for office will agree, it is on a voluntary basis, they are going for a clean money/clean election option. If a State desires a States rights option, they should be able to apply it to House and Senate races. I point this out to the Chair because I think it is all positive about her.

I notice in this paragraph, it says that it is no surprise that two of the seven Senate Republicans who challenged their leadership on this issue came from Maine, where similar public financing legislation was passed in 1996. It has been important to see what is happening at the State level.

I ask unanimous consent this editorial be printed in the RECORD.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

[From the New York Times, Oct. 20, 1998]

A GRASS-ROOTS MESSAGE ON REFORM

In the weeks since campaign finance reform was killed in Washington, it has been fashionable to say that the issue never had much popular support. But that cynical view is belied by the momentum behind two important initiatives this fall, in Massachusetts and Arizona, where voters are being asked to create publicly financed campaign systems that would free politicians of their dependence on money from special interests. Approval of these measures would provide a model for how to clean up local political races and send a strong signal to Washington to enact reform legislation next year.

Both initiatives call for extensive public money to pay for political campaigns, to be awarded after the candidates have raised modest sums on their own. Many state and local governments, including New York City, have provisions for public financing. The post-Watergate laws governing national elections also provide for public subsidies. But in these cases, the money kicks in only when the candidates themselves have raised large sums. As the last round of scandals shows, candidates have also circumvented the law by accepting public money and then using unregulated ''soft money'' contributions for their campaigns.

Even though it will cost them money, the voters in both states are responding positively. In Massachusetts, the money would come in part from taxpayers checking off a box on their income-tax returns, and in part from legislative appropriations. In Arizona, the money would be raised by increasing the fee for lobbyists, a voluntary tax checkoff and a surcharge on criminal and civil fines.

Another encouraging sign is that these reforms are occurring in one of the most conservative states in the country as well as in one of the most liberal. It is perhaps no accident that the main sponsors of campaign reform in Washington include Senator John McCain of Arizona and Representative Martin Meehan of Massachusetts. Nor is it surprising that two of the seven Senate Republicans who challenged their leadership on the issue this year came from Maine, where similar public financing legislation was enacted in 1996.

Success in Arizona, Massachusetts and other states with more limited campaign reform measures on their ballots could build momentum, for change in Washington next year. Many incumbent lawmakers have long argued that the public will not tolerate public financing, by which they usually mean that they do not want to give their challengers an equal chance. They need only be reminded that voters can speak even more loudly than campaign donations.

Mr. WELLSTONE. There was a piece also that David Broder wrote, on July 18, 1999, in the Washington Post, ''Federal Lag, State Reform.'' David Broder, a highly respected journalist, talks about the energy at the State level. He talks about the work of public campaigns and victories in Maine and Vermont and Massachusetts and Arizona. He also talks about some of the activity around the country, the energy of grassroots people, people in our States, at the State level, who say, don't tell us we don't care about good government; don't tell us we don't care about clean elections. They are passing these initiatives.

I ask unanimous consent that the article be printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

[From the Washington Post, July 18, 1999]

FEDERAL LAG, STATE REFORM

(By David S. Broder)

While Congress continues to procrastinate on changing the campaign finance laws—the House will not take up the issue until September; the Senate, who knows when?—things are changing in the states.

More and more of them are moving beyond the regulatory approach embodied in most of the proposals in Washington and are deciding that public financing of elections is the best way to reduce the influence of interest groups and wealthy individuals—while satisfying the maze of legalities laid down by the courts.

The latest and in some ways most surprising development comes in Wisconsin, where Gov. Tommy Thompson, the dean of the 50 governors and a staunch Republican, is making headway with a proposal for partial public funding of state campaigns.

An appropriation of $750,000, urged by Thompson as part of a reform plan devised by a bipartisan commission, has been approved by the Senate-House finance committee and is awaiting final action by the legislature. The full plan has not yet passed and faces strong opposition, but Wisconsin could become the second state in recent years, following Vermont, to move to public financing by action of elected officials.

Since 1996, three others—Maine, Massachusetts and Arizona—have done the same thing by voter initiatives, bringing the total of states with full or partial public financing systems to 24, according to Ellen Miller, the head of Public Campaign, a Washington, DC-based group supporting these efforts. Missouri and Oregon may have such initiatives in 2000, she says.

What is interesting about this phenomenon is that public financing is considered beyond reach in the Washington debate on campaign reform. Twenty-five years ago, Congress approved partial public financing of presidential campaigns by a checkoff on individual income tax returns—with matching funds available to candidates accepting spending limits in the primaries and a full subsidy available for the general election.

But in recent years, it has been accepted wisdom on Capitol Hill that voters rebel at the idea of more of their tax dollars being used to pay for those TV spots everyone despises. And yet, when measures to subsidize campaigns from public sources are put to a vote of the people in states as diverse as Arizona and Massachusetts, they pass—despite the reluctance of many local political leaders to endorse them.

In Massachusetts, both Republican Gov. Paul Celluci and leaders of the Democratic legislature looked askance at the 1998 initiative, but it passed by a 2 to 1 margin. Even with that big win, there was doubt whether the legislature would appropriate the money to begin funding the first publicly financed elections, scheduled for 2002.

Celluci put no request in his budget, but, the legislature—a bit squeamish about defying a public mandate—did so, with the House voting for $10 million and the Senate for $13 million. The House could not resist adding a joker—a requirement that another initiative be passed in 2000 reaffirming that voters really want tax money used for campaigns—but it's not certain whether that will be in the final version of the budget.

For now, backers of the measure told me, they are confident that a series of annual appropriations plus voluntary checkoffs will produce the $40 million kitty needed to fund 85 percent of the expenses of Massachusetts candidates who accept spending limits in 2002.

In Arizona, where the initiative barely passed by a 51 percent to 49 percent margin over the opposition of Republican Gov. Jane Hull and others, opponents have filed two lawsuits challenging the measure. The state Supreme Court threw out the first one; the second is pending in a lower court. Meantime, the financing machinery has begun to function. Lobbyists are being asked to pay higher registration fees, and a surcharge is being added to civil and criminal penalties assessed in Arizona courts. Next year, people filing their state income taxes will be told that, for the first time, they can claim a tax credit of up to $500 for political contributions—and, barring mishaps, public financing will begin in 2002.

The Wisconsin move is particularly interesting because Thompson, like most other Republicans, was initially opposed to taxpayer-financed campaigns. He endorsed the package of other reforms recommended by the bipartisan commission he had named. But when that measure was stymied by partisan battling in the legislature, Thompson endorsed the direct subsidy as a way of breaking the deadlock. In a phone call from Alaska, where he was vacationing, he told me that he hopes Wisconsin, which pioneered welfare reform under his leadership, ''can be a model for the country'' on campaign reform as well.

It will take more courage than Washington usually displays for that wish to be fulfilled.

Mr. WELLSTONE. Finally, Madam President, I wish to read from a letter that asks Senators to support this amendment which would allow States to enact voluntary public financing legislation, commonly referred to as clean money/clean election initiatives regarding the election of Federal candidates in the States.

Historically, the states have been ''laboratories of reform.'' (a term coined by Supreme Court Justice Louis Brandeis) where innovative public policies have been created and tested. We believe, therefore, that the U.S. Senate, which has been a champion of states' innovative efforts in a number of policy efforts in recent years, should also support the right of individual states to determine the campaign finance system for their candidates for federal elections.

This letter goes on to talk about the great victories in Arizona, Maine, Massachusetts, and Vermont, and also goes on to cite a recent poll undertaken by the Mellman Group in Iowa—you know everybody is focused on Iowa with the Presidential races—pointing out that voters, 72 percent of Democrats and 63 percent of Republicans, support a system of voluntary full public financing and spending limits for campaigns. Not only did the support cut across party lines, but also there was support among ideologies within the political party.

I ask unanimous consent this letter, which is signed by about 50 different organizations that are working on reform at the State level, be printed in the RECORD.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

FIFTY PLUS CITIZEN GROUPS IN SUPPORT OF WELLSTONE ''STATES RIGHTS'' AMENDMENT TO S. 1593, THE ''BIPARTISAN CAMPAIGN REFORM ACT OF 1999''

October 14, 1999.

DEAR SENATOR. As the Senate prepares to debate S. 1593, the ''Bipartisan Campaign Reform Act of 1999,'' we the undersigned urge you to support Senator Paul Wellstone's amendment to allow states to enact voluntary public financing legislation regarding the election of Federal candidates in such states.

Historically, the states have been ''laboratories of reform'' (a term coined by Supreme Court Justice Louis Brandeis) where innovative public policies have been created and tested. We believe, therefore, that the U.S. Senate, which has been a champion of states' innovative efforts in a number of other policy areas in recent years, should also support the right of individual states to determine the campaign finance system for their candidates for federal elections.

The states are already moving in this direction with regard to their own state elections. Twelve states currently offer partial public financing to candidates for state offices. In addition, four states have gone even further and have recently passed full public financing systems for their state elections—Arizona, Maine, Massachusetts and Vermont. Three of the four states will have such a system in place for the 2000 election cycle.

Finally, the American people, according to survey after survey, say that the current campaign finance system is out of control and they want it overhauled. A recent poll undertaken by The Mellman Group in Iowa revealed that voters (72 percent of Democrats, 63 percent of Republicans) support a system of voluntary full public financing and spending limits for campaigns. Not only did support for such a voluntary system cut across party lines, but it also maintained strong support from all ideologies within the parties.

Again, we urge you to support Senator Wellstone's amendment to S. 1593 and allow the states to have the right to decide for themselves whether a voluntary public financing program makes sense for the election campaigns of their own Members of Congress.

Sincerely,

Arizona Clean Elections Institute
Citizen Action of New York
Coalition to Stop Gun Violence
Colorado Progressive Coalition
Connecticut Citizen Action Group
Democracy South
Dollars and Democracy Project/Ohio
Episcopal Church
Equality State Policy Center/Wyoming
Florida Consumer Action Network
Florida League of Conservation Voters
Friends Committee on National Legislation
Georgia Rural-Urban Summit
Illinois Citizen Action
Indiana Alliance for Democracy
Iowa Citizen Action Network
League of United Latin American Citizens
Lutheran Office of Governmental Affairs—Evangelical Lutheran Church in America
Maine Citizen Leadership Fund
Mass Voters for Clean Elections
Michigan Citizen Action
Minnesota Alliance for Progressive Action
Missouri Alliance for Campaign Reform
Missouri Voters for Fair Elections
National Voting Rights Institute
NETWORK: A National Catholic Social Justice Lobby
New Hampshire Citizens Alliance
New Jersey Citizen Action
North Carolina Alliance for Democracy
North Dakota Progressive Coalition
Northeast Action
Ocean State Action
Ohio Valley Environmental Coalition
Oregon Political Accountability Network
Pennsylvania Consumer Action Network
Public Campaign
South Carolina Progressive Network
Southeast Forest Project
Texans for Public Justice
Texas Public Citizen
Union of American Hebrew Congregations
Unitarian Universalist Association of Congregations
United Vision for Idaho
United We Stand—Arizona
U.S. PIRG
Utah Progressive Network
Vermont PIRG
West Virginia Peoples' Election Reform Coalition
West Virginia Citizen Action
Western States Center
Wisconsin Citizen Action
Working Group on Electoral Democracy

Mr. WELLSTONE. Madam President, before I get started in arguing my brief to this amendment, I appreciated the comments of my colleague from Ohio. I appreciate the sincerity in which he made his case, but there are a couple of points on which I am in disagreement. I don't know if this amendment will come up. I certainly hope it doesn't. We have been focusing on soft money. I join Senator LEVIN in thanking Senators MCCAIN and FEINGOLD for continuing to be a strong voice for reform. I understand the pragmatism of their initiative. I think if we could ban soft money it would be a significant step for our country—a good step forward, not a great leap sideways. I thank them.

But I also want to point out for Senators, Democrats and Republican, that there is also the hard money issue. People who are listening—soft money/hard money—I think are wondering what all of this is about.

When I hear other Senators say we ought to raise the limit from $1,000 to $3,000, actuality it would be $2,000 to $6,000 counting primary and general elections. I want to point out a couple of figures.

This year, a spectacularly small portion—in the Presidential race—of U.S. citizens have contributed more than $200. So far this year, only 4 out of 10,000 Americans have made a contribution higher than $200 to the Presidential race. That is .037 percent. As of June 30, 1999, only .022 percent of all Americans have given $1,000 or more to a Presidential candidate. In the 1998 election, .06 percent of all Americans gave $1,000. That was roughly 1 in 5,000 citizens.

If you say money is speech, then I guess we know who the people are who are going to do all of the talking. I cannot believe that Senators—Republicans, Democrats—whoever they are, believe this will give ordinary people more confidence and more faith in the political process.

Again, what we have right now, when you are talking about contributions of over $1,000 this year, is .022 percent. Even over $200, it is only .037 percent. People do not have this kind of money. People can't afford to make these kinds of contributions.

Now what we are going to do is raise this from $1,000 to $3,000—actually $2,000 to $6,000, counting primary and general elections—and we are going to call this a reform.

I want to say to everybody that in my not so humble opinion, about 90 percent of the people in the country will not view this as reform. They will view this as a huge step backward, and they will view this as an effort to enable the wealthiest and high-income citizens to have even more influence and more say over the political process than they have right now.

This amendment is a States rights amendment to this underlying bill. I hope it will have broad bipartisan support. This amendment allows States to set up voluntary systems of full or partial public financing for Federal congressional candidates that involve voluntary spending limits on both personal and outside contributions as long as those systems otherwise are not in conflict with the Federal Election Campaign Act. Again, it is entirely up to the candidates. It is only if they agree to it. Clearly, we set a floor, which is the Federal Election Campaign Act.

Again, the letter I read to you was on the mark. States have been the laboratories for reform. This States rights amendment would allow these laboratories to do this work but in a safe way because we make it clear that the Federal law remains the floor. No State can violate existing Federal law. No State can be in violation of existing Federal law. But if a State wants to do better—if Kentucky or Minnesota or Nebraska or Arizona—Arizona has already done better, and Minnesota tried—they want to apply some system of partial or full public financing to Federal offices, and they say: we are sick and tired of waiting for you all to pass this kind of legislation; we have the sneaking suspicion that those interest groups that have the power have too much say in the Senate and you are not going to pass it; let us have a go at it, then we ought to let States do so.

The Federal law is the floor. But it is a very low floor. We had this debate the other day. I don't want to go over again in great detail the definition of corruption. Let me simply say one more time that I, for one, I say to my colleague whom I have a lot of affection for, the Senator from Utah, that I am not going to make any arguments about a one-to-one correlation between fundraising and ''corruption.'' I am not going to make any of those arguments, but I will say that to me corruption is more serious than wrongdoing of individual officeholders. It is systemic. That is what we have. It is simply a case of those people who make these big contributions, the big soft money contributions and the big hard money contributions—they are the investors. They are the heavy hitters. They are the players. They are the ones who are well connected. They are the ones who have too much influence. And most citizens believe there is a connection between big special interest money and outcomes in American politics.

I am very sad to say that most citizens who believe that are right. People know that who has the money determines who wins and who has the money determines all too often what even gets put on the table in the first place. That is why people are turning away from the political process. That is why people are disillusioned. That is why people are disengaged. That is why people feel, I will say it again, if you pay, you play; if you do not pay, you don't play. That is what is going on.

Recent polls: 92 percent of all Americans believe special interest contributions buy votes of Members of the Congress—92 percent. Again, I say to colleagues, I am not agreeing with that kind of thing, but it is one of the reasons we should want to change this system. It really doesn't matter in the last analysis. If you get more money from oil companies, or labor unions, or environmentalists, or citizen groups, or financial institutions, the fact is people can always have that concern. Why don't we try to break that?

Eighty-eight percent of people believe those who make large contributions get special favors from politicians. Sixty-seven percent believe their own representatives in Congress would listen to views of outsiders who made major political contributions before they would listen to their own constituents' views. And then, finally, nearly half of all registered voters believe lobbyists and special interests control the Government.

I know the sponsors of the new McCain-Feingold bill have stripped the bill down in the hope that we are going to have the votes to achieve cloture and that we can move this long-stalled debate forward. I am in agreement. However, given the inability of Congress to agree on a lot of the incremental changes, which is important, let alone comprehensive reform—this is a stripped down bill. The authors will admit that. But they are saying, let's try to move something forward. Let's take a step forward that will lead to improvement. I agree. But what I am saying about this amendment is that it is also an ideal time to let States take the lead. We should not allow States to undermine Federal election law. They won't do that. But the law should also not be an artificial ceiling that prevents States from setting up systems of public financing such as Maine has done, such as Vermont has done, such as Arizona has done, and such as Massachusetts has done that would allow them to address this obscene money chase, that allows them to address voter apathy; that allows them to address the kind of corruption that I have talked about—both actual or corruption that is perceived.

Mr. BENNETT. Will the Senator yield?

Mr. WELLSTONE. I am happy to yield to the Senator.

Mr. BENNETT. Madam President, I am interested and pleased to hear the Senator say he does not agree with those polled who say money buys votes and that the individual Members of the Senate are not corrupt.

My question to the Senator, since he is a teacher by profession is, if that perception in the public is not true, why shouldn't this teacher spend his time trying to educate the public as to what is true rather than to fall in with the sentiment expressed in the poll which is inaccurate?

Mr. WELLSTONE. Madam President, I actually have not finished laying out the amendment.

To my colleague from Utah, I was saying the huge percentage of people who believe this to be the case troubles me. I certainly do not believe that in a majority of cases of Senators whom I know, to the extent I know them—and I think I do—that that is the case, the ''money'' vote way. I don't think that is the link.

That is my sense, not in an individual way.

I have also argued, and the Senator has heard me say this many different times, I do think we have a more serious kind of corruption, and it is the imbalance of power. It is systemic.

Therefore, from my point of view, my colleague from Utah could be referring to one of two things: Either the statement I gave on the floor the other day in which I said we have to change this system in order to give citizens faith in this political process—and they have every reason to believe that; unfortunately, it is dominated by the few—or the Senator could be referring to this amendment. I hope not because all this amendment says is, whether one agrees or not with the perception, if people in Utah or people in Minnesota decide they want to put into effect comprehensive reform and cover our Federal elections, House and Senate races, as they are doing in the State elections, they should have the right.

Mr. BENNETT. If I may, I was responding to the statement made by the Senator from Minnesota on the floor today when he talked about the poll.

Mr. WELLSTONE. I am yielding for a question.

Go ahead. I want to be clear I have the floor.

Mr. BENNETT. Absolutely, and I appreciate the courtesy of the Senator, and I shall not interrupt again.

I have had the experience, the polls in Utah show a very large percentage of people holding the same opinion as the Senator from Minnesota has subscribed. Because I am convinced that McCain-Feingold is, (a) unconstitutional, and (b) unworkable, I have——

Mr. McCAIN. I ask for the regular order.

The PRESIDING OFFICER. The Senator from Minnesota has the floor and may yield for a question.

Mr. WELLSTONE. I am pleased, for my colleague from Utah, to yield for a question.

Mr. BENNETT. I thank the Senator for his courtesy.

I have had the experience of explaining my position and once explaining, being endorsed.

My question to the Senator is, again, if he disagrees with the position stated in the poll, even though it is held by 92 percent of the respondents to that poll, inasmuch as he is a skilled, trained, and professional teacher, would he not spend his time well using his skills as a teacher educating these people in his State, as I have tried to do with the people in my State, rather than simply going along with them and saying if that is your position, I will follow it legislatively even though I disagree with it? Would that not be a better use of the Senator's obvious teaching skills?

Mr. WELLSTONE. Madam President, the first part of the question I appreciate.

The second part of the question I might have a slightly different interpretation. To the first part of the question I want the Senator from Utah to know—for that matter, the Senator from Kentucky—that I believe in public service, and I am honored to be here.

I reject the across-the-board denigration of public service and people in public service when and if anyone does

that. I haven't seen that done on the floor of the Senate. However, I hear people talking that way and I go out of my way to say to people that there are many Senators whom I have met, including those who have a very different viewpoint, who I think have a highly developed sense of public service, who believe in what they are saying, and believe in what they are doing.

If the Senator were to ask me whether or not I tried as a Senator or teacher to speak to this notion that there is all this corruption and wheeling and dealing and everything is cynical and everything is corrupted, absolutely I do because I don't think that is true.

On the second point, I think my time is well spent supporting the McCain-Feingold effort, and for that matter, supporting even more comprehensive reform. I do believe the money chase and the mix of money and politics—especially big money politics—has undercut what I hold most dear, which is this very noble and grand, wonderful, over-200-year experiment in self-rule that we have had in this country.

I think this is a debate about representative democracy. I believe we have to change the way we finance campaigns if we are to have a healthy, functioning, representative democracy.

I thank my colleague for his question.

Madam President, if the American people, according to survey after survey, are going to say this system of financing is out of control and they want an overhaul, then we owe it to them to get out of the way and let the States go ahead and move forward and do what we as a Congress have been unable to do. Just because the Senate can't move on comprehensive reform doesn't mean we should tie the hands of States. My colleagues can agree or disagree with what States will do, but give them the option.

Let me give the legal context. My own State of Minnesota attempted to set up a system of public financing, a system for Federal candidates, 9 years ago in 1990 when the State legislature passed the law offering partial public financing to candidates, the congress of Minnesota. Unfortunately, the Federal Court of Appeals for the Eighth Circuit struck down Minnesota's law in 1993 in Weber v. Heaney. The court ruled because the Federal Election Campaign Act did not specifically allow States to create this kind of voluntary public financing program, then FECA prohibited it.

The amendment I am introducing corrects that by adding one simple sentence to FECA which specifically allows States to set up voluntary public financing programs for the election of their own members to the House or the Senate as long as no program violates any provision of the current Federal Election Campaign Act.

The court said, given what we are dealing with, given existing law, we cannot go forward. If we change the law, it could very well be a different court decision. In other words, if a State wants to create a public financing fund and give its congressional candidates the option; it is a voluntary option of financing their campaigns wholly or partially with public money rather than the private contributions, then that State would be able to do so, again, provided there are no violations in the FECA provisions.

I want to emphasize this amendment makes these programs strictly voluntary, as the system of public financing for the Presidential campaign is voluntary. Some States are already moving in this direction with regard to State and local elections. There is a lot of energy for this. Twelve States already offer partial public financing to candidates for State offices. In fact, one of the most advanced is in the State of Kentucky. In addition, four States have gone even further and recently passed full or nearly full public financing systems for their State elections—Maine, Vermont, Massachusetts, and Senator MCCAIN's State, the State of Arizona.

Local and State elected officials, along with citizen activists in nearly 40 States around the country, have launched the Elected Leadership Project 2000. And this is an all-out effort for comprehensive reform.

I say to colleagues, if the people in our States want to strengthen American democracy, if they have the gumption and they have the citizen politics to go forward with real reform that would get so much of the big money out of politics—that would really create a level playing field, that would reinforce people's faith in the elections, that would mean people could say these elections belong to us, this political process belongs to us—and that is why there has been so much support for the clean money/clean elections initiative—then my amendment says to Senators: Let them do it. You might not agree. But if your State wants to do what Maine has done and Maine says we want to apply this to Congress as well, then Maine should be able to do it; Minnesota should be able to do it; Kentucky should be able to do it, Utah should be able to do it.

This legislation goes to the root cause of a system which is founded on private special interest money, and it cures the disease.

I hear colleagues talking about the need to tighten up campaign finance laws. The problem is not what is illegal; the problem is what is legal. The real problem is that most of what is wrong with this current sick system is perfectly legal. It is perfectly legal, those huge amounts of money, hundreds of thousands of dollars in soft money contributions that Senator FEINGOLD and Senator MCCAIN are trying to prohibit and which prohibition too many Senators are trying to block—huge amounts of personal, individual contributions that really, basically, very-high-income and wealthy people are able to contribute but the vast majority of people are not—all of which determine who gets to run, who gets elected; all of which determine the people who have the most access.

We have moved so far away from the principle that each person should count as one, and no more than one, it is absolutely frightening. We do not have elections any longer; we have auctions.

Why don't we get the big interested money out? We had this debate about corruption. Again, maybe it is only the appearance of corruption. But my friend Phil Stern, who is no longer alive, once wrote a book, ''The Best Congress Money Can Buy.'' He made the following argument in the book. I just thought of it. Bill Moyers, in a speech he gave called ''The Soul Of Democracy,'' made the same argument.

Imagine what it would be like—maybe some people had a chance to watch the ball games last night—imagine what it would be like if umpires or referees received huge contributions from the players of the different teams before the baseball game or before the football game. Would you have any confidence that they would be rendering impartial decisions? You might be worried that they would not be. In a way, we have something similar to that here. We make all these different decisions about health care and health insurance reform, about telecommunications legislation, banking legislation, where we are going to make budget cuts, labor legislation—across-the-board. At the same time we receive all these contributions, we are the referees; we are the umpires; we are going to make the decisions. It looks terrible. It looks awful. It looks awful to people in the country.

What I am saying is that if, in fact, we want to give people an opportunity to have more confidence in their political process, then I think we ought to go forward and we ought to agree to this amendment.

I have two final points. I have been waiting for a long time. I will be done, but I want to make two final points.

First of all, I have heard it said that people do not care.

I do not think that is true at all. I think people have reached the conclusion that when it comes to their concerns, they are of little matter in the Congress. I think people have reached the conclusion that the influence of private wealth and power is strongly felt; that it shapes the acts and policies of government; that money crawls the halls of the Capitol and the halls of the White House.

No one in politics today can deny the shaping influence of money on public acts. Few people who contribute vast sums of money to political campaigns do it just out of profound ideological beliefs. They do it in part because they do have some hope for gain. It is an understandable ambition for those individual figures, but one to which public figures should not yield their larger commitment to all Americans. That is what this debate is about, whether or

not we as public figures maintain a larger commitment to all the people in our country, not just the people who have the financial wherewithal to make these contributions. That is what this debate is about.

In my view, until we take the big money out of politics, our historic drive for more opportunities for citizens, for more justice, for a better life for all the people, for improving the standard of living for all the people in our country, for really investing in children's lives, for making our country a better America, that drive will continue to be diverted and frustrated and ultimately denied.

This issue is the core issue, and this amendment I have introduced simply says to my colleagues we ought to, if we are not going to go forward with comprehensive reform but at the State level our States want to have clean money/clean elections, and they want to apply it on a voluntary basis to races to the House of Representatives and the Senate, then they ought to be able to do so.

I do not see why we would not have strong bipartisan support for this amendment because, frankly, I think, along with the efforts of Senator FEINGOLD and Senator MCCAIN—Senator MCCAIN and Senator FEINGOLD—the energy for the reform is going to come at the grassroots level; it is going to come at the State level. That is what this public campaign has been about all across this country. That is what the victory in Arizona was about. That is what the victories in Massachusetts, Vermont, and Maine were all about. That is what people in my State tried to do 9 years ago. Let's just pass a law that would enable States to move forward.

I yield the floor.

The PRESIDING OFFICER. Under the previous order, the Senator from Arizona, Mr. MCCAIN, is recognized.

Mr. MCCAIN. Madam President, I move to table amendment No. 2299 and ask consent the vote occur at 5:45.

The PRESIDING OFFICER. Is there objection?

Mr. MCCONNELL. Reserving the right to object.

The PRESIDING OFFICER. The Senator from Kentucky reserves the right to object.

Is the Senator objecting?

Mr. REID. I could not hear. The Senator moved to table the Reid amendment; at what time would the vote occur?

Mr. MCCAIN. It was agreeable to the leadership. I was told they wanted a vote at 5:45, but I would be willing to set the time for that vote at any time. I am told by staff, 5:45 is the time for the vote.

The PRESIDING OFFICER. The Senator from Kentucky.

Mr. MCCONNELL. May I inquire which amendment we are talking about.

Mr. MCCAIN. I will be glad to explain to the Senator from Kentucky. It is basically the soft money amendment.

The PRESIDING OFFICER. The Reid amendment, No. 2299.

Mr. MCCONNELL. And the request is——

Mr. MCCAIN. Table.

Mr. MCCONNELL. Table the Reid amendment.

Mr. MCCAIN. Madam President, I ask for the yeas and nays.

The PRESIDING OFFICER. There was a unanimous request pending to have the vote occur at 5:45. Is there objection?

Mr. MCCONNELL. To have the tabling vote on the Reid amendment occur at 5:45?

The PRESIDING OFFICER. That is the request.

Mr. MCCONNELL. That is the request of the Senator from Arizona?

The PRESIDING OFFICER. That is the request. Is there objection?

Mr. MCCONNELL. Reserving the right to object.

Mr. MCCAIN. Madam President, in the interest of time, I would be glad to move to table the Reid amendment, which does not require unanimous consent, and ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The yeas and nays were ordered.

Several Senators addressed the Chair.

The PRESIDING OFFICER. The Senator from Arizona has the floor.

Mr. REID. If the Senator from——

The PRESIDING OFFICER. The motion is not debatable.

Mr. MCCAIN. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative assistant proceeded to call the roll.

Mr. MCCAIN. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. MCCAIN. I ask unanimous consent that the tabling motion occur at 5:45.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

Mr. MCCAIN. Madam President, I want my colleagues to know this is a defining vote of this debate. This is a defining vote because it all has to do with soft money. This is the fundamental proposition that the Senator from Wisconsin and I are propounding.

There has been parliamentary maneuvering. There has been substitutes. There has been a filling up of the tree. There have been a lot of things that have been going on which have sort of not surprised me but disappointed me.

Friday, on the other side, for reasons that are still not clear to me, the Senator from Nevada, and others, chose not to allow the amending process to go forward. On this side, we have had some delays, which I would argue were not particularly helpful to the process.

So this tabling motion of the Reid amendment is basically a defining vote on whether or not we want to ban soft money. I intend to vote not to table the Reid amendment. I would hope that my colleagues would vote not to table the Reid amendment. Then we will have the Senate on record as to whether we are for or against soft money in American political campaigns.

On Friday, Senator KERREY of Nebraska—it is funny; we were talking about this today at the Vietnam Veterans Memorial luncheon today that Senator HAGEL and I attended, that there is kind of an interesting relationship that exists between those of us who had the privilege of serving in that conflict.

One of the traits I find true with Senator HAGEL, Senator CLELAND, Senator ROBB, and Senators KERREY and KERRY, is that there is a certain degree of honesty and straightforwardness which I find extremely attractive.

Senator KERREY, on Friday, who is also the former chairman of the Senatorial Campaign Committee, said:

There will be all kinds of amendments offered to change the bill, some of which I support strongly. It seems to me our only chance of getting this legislation passed is to stick as closely as possible to the bill we currently have in front of us.

He went on to say, in an exchange with the Senator from Wisconsin:

I wonder if the Senator from Wisconsin will tell me if what I am saying is true. I like Shays-Meehan. I like the bill. The junior Senator from Nebraska, Mr. HAGEL, has an amendment I like as well.

He goes on to talk about:

. . . It makes it much more likely we will fail to break a filibuster and, as a consequence of that failure, fail to enact legislation, and as a consequence of that, we will never go to conference and never change the law.

Then Senator KERREY of Nebraska went on to say:

. . . The Senator is very kind to say I have always been a supporter. Actually, I have not always been a supporter . . . Speaking of campaign finance reform.

He says:

When I came to the Senate in 1989, this was not a very important issue. Indeed, at one point, I joined the Senator from Kentucky, Mr. MCCONNELL, to defeat campaign finance reform.

Then I had the experience of going inside the beast in 1996, 1997, and 1998 when I was Chairman of the Democratic Senatorial Campaign Committee—I do not want to raise a sore subject for the Senator from Maine. It changed my attitude in two big ways: One, the apparent corruption that exists. People believe there is corruption. If they believe it, it happens. We all understand that. If the perception is it is A, it is A, even though we know it may not be, and the people believe the system is corrupt.

Equally important to me, I discovered in 1996, 1997, and 1998 that there are men and women who would love to serve. They say: I can't be competitive; I can't possibly raise the money necessary to go on television; Oh, and by the way, my reputation could get damaged as a consequence of what could be said on television against me.

He went on to say:

I am persuaded this law needs to be changed for the good of the Republic, for the good of democracy. I hope Members, such as myself, who are enthusiastic about changing that law will take the advice of the Senator from Wisconsin and the Senator from Arizona to heart because we may have to vote against things we prefer in order to make certain we get something that not only we want but the Nation desperately needs.

Madam President, it is impossible for me to elaborate on that kind of comment from my esteemed colleague and American hero, BOB KERREY of Nebraska.

Mr. FEINGOLD. Will the Senator from Arizona yield for a question?

Mr. MCCAIN. I would be glad to yield for a question.

Mr. FEINGOLD. Let me clarify what the Senator from Arizona is attempting in moving to table the Reid amendment.

I would ask the Senator from Arizona, when we take this vote on tabling, will you regard this vote on the Reid amendment as a true test of the question we have been asking our colleagues, and that question is, Are you for or against soft money?

Would the Senator from Arizona regard that vote as a procedural vote or a vote up or down on the question of whether you are for or against soft money?

Mr. MCCAIN. I would like to respond to my friend.

I am hearing that the distinguished majority leader may try to remove the bill from the consideration on the floor of the Senate tomorrow. We know that it is cluttered with various amendments, some of them very important. The Senator from Minnesota spoke very eloquently in favor of his amendment, which I am sure has some merit.

But the crux and heart of this matter is soft money. We all know that. I worry if we do not get this vote, that we could possibly reach a situation where the Senate is gridlocked; and eventually, over time, obviously, we would not even have recorded votes on this important and crucial issue.

Mr. FEINGOLD. Can the Senator recall any other occasion in which the Senate has voted up or down on the question of whether to ban party soft money?

Mr. MCCAIN. It is my understanding the Senate has never voted up or down on that specific issue, at least since 1907, when, thanks be to one of the greatest Republicans and greatest Presidents in history, Theodore Roosevelt, who alleged there was corruption at that time—and I will include many of his remarks in the RECORD—because of the influence of major corporations and robber barons and special interests on the American political process, I believe the Senate did vote to ban soft money. And I believe that statute is still on the books.

Mr. FEINGOLD. Again, I ask a further question. I appreciate that answer because I think the problem we have had is we have not had a chance to get to the question of whether you are for or against unlimited contributions. For year after year, it appears that—and I ask the Senator from Arizona to confirm—we keep trying to get to this vote, but we never seem to be able to get right at it; the bill is pulled or a tabling motion is made on the overall bill or something, a cloture motion is filed. It is amazing, after 5 years, we have never gotten to this. But apparently we are about to.

Let me ask one other question, if I could, because the Senator from Oregon consulted me on this. Senator WYDEN, who does not limit himself to supporting our efforts, has been, in my mind, one of the strongest advocates of campaign finance reform in this body. He has been creative and has a number of interesting ideas of his own that I like very much. He asked me—and I certainly think you will answer the same way I did—whether or not, after this motion is disposed of one way or another, Senators will still have the chance to amend the bill.

Mr. MCCAIN. Of course. Of course. I hope that would move the process forward, once we are on record. And perhaps that might increase our chances of reaching 60 votes, I would say to my friend.

Mr. FEINGOLD. I thank the Senator for bringing us to the point where finally we can have an up-or-down vote on soft money.

Mr. REID. Will the Senator yield for a question?

Mr. MCCAIN. I would be glad to.

Mr. REID. I offered an amendment on Friday to establish a procedure whereby there would be a vote to determine whether or not we would invoke cloture on the so-called soft money ban. Is the Senator aware of that? The Senator from Arizona has indicated and I may be paraphrasing the words; that there were games being played and Senators were not being allowed to offer amendments.

I say to my friend from Arizona, the Senator from Minnesota offered an amendment today. Amendments could have been offered Friday. Will the Senator acknowledge that having the two amendments, one being ''McCain-Feingold lite'' and the original version of the McCain-Feingold bill, that we should be able in this body to vote on both those matters?

Mr. MCCAIN. I say to my friend, first of all, I never argued that games were being played. I would not make that allegation. I believe the Senator from Kentucky and I had a colloquy on Friday where it was clear that the situation was such that even if an amendment were considered on Friday and adopted, it would have fallen with a vote on the underlying legislation that was pending, which I think correctly, in the view of the Senator from Kentucky, made further amendments and debate meaningless. I see the Senator from Kentucky is on the floor. I think that was his comment. If he disagrees, I will be glad to yield for a question from him in that respect. On Friday, I was disappointed, and I think the Senator from Kentucky was, that we didn't move forward with genuine amendments that would have stood or fallen on their own merit.

I am glad to yield to the Senator from Kentucky for a question on that.

Mr. REID. If I could just ask one more question, maybe the Senator could respond to both of them. I say to my friend from Arizona, I have stated publicly and privately, both outside these Chambers and inside these Chambers, about the work that is being done by the Senator from Arizona and the Senator from Wisconsin, and indeed it has been a tremendous effort bringing this very important issue before this body. You have been undying in your efforts to bring this forward. You would acknowledge, would you not, that there are others in this body, other than the Senator from Wisconsin and the Senator from Arizona, who believe strongly that there should be some campaign finance reform? Would you acknowledge that?

Mr. MCCAIN. Absolutely.

Mr. REID. And would you also acknowledge that your method in obtaining campaign finance reform may not be the best way to go?

Mr. MCCAIN. Absolutely.

Mr. REID. I guess the point I want to make is that I am not sure I can put my many efforts on behalf of campaign finance reform next to that of the Senator from Arizona. He has done so much to move this issue forward. But I would say to my friend from Arizona—and I would like the Senator to either acknowledge whether or not this Senator believes strongly that there should be campaign finance reform. Even though my qualifications for asserting the need for campaign finance reform would not meet those of the Senator from Arizona, I think I am in the top 10 of members of this body who have been a strong advocate for reform. For example, I have given speeches on the Senate floor, since I came here with the Senator from Arizona in 1986, about the need for campaign finance reform. Would the Senator acknowledge that?

Mr. MCCAIN. I not only acknowledge it, but it is worthy of mention; the Senator from Nevada and I have been close and dear friends for nearly 20 years. One thing I have tried to do during the course of this debate is keep it from in any way personalizing or showing any disrespect to any individual, no matter where they stand on this issue.

I thank the Senator from Nevada.

Did the Senator from Kentucky want to make a comment?

Mr. MCCONNELL. I say to the Senator from Arizona, he is correct. My understanding Friday was and remains that the right side of the tree, which is what we normally amend around here, was filled by the two amendments and the two cloture votes. That effectively made additional amendments somewhat an exercise in futility. What I recommended to our side—and it has

been happening today—is that they discuss their amendments—I know Senator HAGEL is here to discuss his—and indicate that they would like to have had a vote, a meaningful vote, which would have been on the right side of the tree.

So the Senator from Arizona does correctly state my opinion of Friday, which remains my opinion today.

Mr. MCCAIN. I thank the Senator from Kentucky.

I agree with the Senator from Nevada; there are many ways to approach the issue of campaign finance reform. I agree with him; there are many laudable aspects of campaign finance reform that deserve serious consideration.

One that doesn't seem to surface as much as it should is free television time for candidates. The broadcasters receive $70 billion worth of free digital spectrum. It seems to me there should be some obligation along with one of the great rip-offs in the history of the United States of America.

But we really are down to soft money, I say to the Senator from Nevada. We are really down to that. We can build on that. There is no reform that could have any meaning unless it meant, at its fundamental heart, the banning of soft money. We have been through a number of debates about what independent campaigns do.

By the way, before I leave the issue, I heard the Senator from Ohio say that banning of soft money does not in any way affect labor unions. Yesterday or the day before, there was a notice in the paper that the labor unions plan on spending $45 million in soft money in the upcoming campaign. I am afraid the Senator from Ohio is misinformed because this banning of soft money does enormous damage to the ability of labor unions to engage in the kind of practices we are trying to eliminate, just as much as it does the other side.

I want to make perfectly clear, the reason that I and the Senator from Wisconsin are seeking to table or asking for a vote on a tabling motion is so we can have the Senate on record on the issue of soft money. If the Senate, in its wisdom, decides that we should table the Reid amendment and that we should, therefore, not ban soft money, then obviously this entire exercise is largely futile. I think there are about three Members on the other side who may not be voting who would vote for us, and I would take that into account in this vote because, really, this vote is about the intentions and the will of the Senate.

The soft money reports from Common Cause: Soft money, CWA-COPE, $2,593,000; American Federation of State and County Municipal Employees, $2,334,000—these are obviously all Democrats—Service Employees Union, $1.5 million. I hope the Senator from Ohio will take a look at the enormous amount of money that is coming in from labor unions that he somehow believes would not be affected by a ban on soft money.

Also, recently information came out that the Democratic Party is raising now as much soft money as the Republican Party, a very interesting turn of events.

We have, at most, 48 hours left on this legislation. We have not made a lot of progress. It is time we did. I believe having the Senate on record on soft money is a very defining vote. I talked extensively with Senator FEINGOLD about this before we decided to make this move. I hope my colleagues will vote not to table the Reid amendment, which bans soft money. I hope my colleagues will vote not to table the McCain tabling motion of the Reid amendment.

I believe Senator BENNETT is next under the unanimous consent agreement. I believe both Senators HAGEL and WYDEN have been waiting. I don't know what the disposition of that is.

Senator REID?

The PRESIDING OFFICER. Under the previous order, Senator BENNETT is to be recognized at the conclusion of Senator MCCAIN's speech.

Mr. REID addressed the Chair.

Mr. MCCAIN. I think Senator HAGEL was here first. Is that OK?

Mr. REID. If the Senator from Utah will yield.

Mr. MCCAIN. I haven't yielded the floor.

Mr. REID. Madam President, what we should do, in keeping with what we have done earlier in the day—Senator BENNETT is opposed to the legislation; he is going to speak next. Senator WYDEN, who is in favor of the legislation, should speak next after the Senator from Utah, and then we should go to Senator HAGEL.

Mr. FEINGOLD. I ask that I may follow after Senator HAGEL.

Mr. REID. For the information of Members, Senator BENNETT—how long is he going to speak?

Mr. BENNETT. I was planning to——

Mr. REID. He has been here for 2 days.

Mr. BENNETT. I was planning to discuss the amendment that I was unable to offer. I want to spend 15 minutes or so on that. Then I want to make a general statement about the bill. I will try not to get overly enthusiastic about my arguments, but I might get carried away for another 20 minutes or so about that, so between 30 or 40 minutes. I will do my best to restrain myself.

Mr. MCCAIN. Madam President, I still have the floor.

The PRESIDING OFFICER. The Senator from Arizona has the floor.

Mr. REID. I am sorry. If I may——

Mr. MCCAIN. I think I have consumed 7 or 8 minutes. I hope the Senator from Utah will recognize that both the Senator from Nebraska and the Senator from Oregon have been here for a long time. I hope he would give them the opportunity to speak before the 5:45 vote.

The PRESIDING OFFICER. Is the Senator from Arizona making a unanimous consent request that after the Senator from Utah has finished his remarks, the Senator from Oregon would be recognized, followed by the Senator from Nebraska, followed by the Senator from Wisconsin?

Mr. REID. Reserving the right to object.

The PRESIDING OFFICER. Is the Senator making such a request?

Mr. MCCAIN. I am glad to make that request.

Mr. REID. Reserving the right to object, the Senator from Oregon wishes to speak for 15 minutes. This is so other Members will have an idea about what is going on. The Senator from Nebraska wishes how much time?

Mr. HAGEL. Twenty minutes.

Mr. REID. I do not object.

Mr. MCCAIN. I amend the unanimous consent agreement. The Senator from Utah would like how many minutes?

Mr. BENNETT. I will be happy to do 20 minutes on the bill itself and delay my 20 minutes on the amendment.

Mr. MCCAIN. I thank the Senator from Utah for his courtesy. I ask unanimous consent that the Senator from Utah be recognized for 20 minutes, the Senator from Oregon for 15 minutes, the Senator from Nebraska for 20 minutes, and then the Senator from Wisconsin for 20 minutes.

The PRESIDING OFFICER. Is there objection?

Mr. REID. Reserving the right to object, I only ask if there is enough time to get us to 5:45.

Mr. MCCAIN. Roughly.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. MCCAIN. I yield the floor.

The PRESIDING OFFICER. The Senator from Utah is recognized.

Mr. BENNETT. Madam President, I appreciate the opportunity. I have been following this debate and, indeed, have been involved in it with great interest ever since it began.

While I appreciate and, indeed, salute the sincerity with which the Senator from Arizona and the Senator from Wisconsin pursue their efforts to achieve what they sincerely believe will be good for our country, I must begin by stating that I am absolutely convinced that what they are pursuing would be bad for our country, would be bad for our political system, would be bad for campaigns in general, and would raise, rather than lower, the sense of frustration and disgust with the political system overall.

That has been the history of campaign finance reform. It has gone on in this town for decades. Every time, the reformers end up making things worse. I say that with all respect for the sincerity with which they pursue their goal. But, in my opinion, the goal they are pursuing is not available to them through the route they are following.

I wish to begin by quoting a column that appeared last week in the Washington Post written by Robert Samuelson. Robert Samuelson is not known as one of the more partisan of the political commentators. He is basically considered an objective commentator,

spending more of his time on economics than other issues. But what he has to say about this issue captures what I believe about it so well that I am going to quote him at some length.

He says:

Few subjects inspire more intellectual conformity than ''campaign finance reform.'' All ''right-thinking'' people ''know'' that election spending is ''out of control,'' that the present system of campaign finance is corrupt and that only reactionaries block ''reform.''

I think that captures exactly what we have been hearing on the floor—that all ''right-thinking'' people ''know'' that election spending is out of control and the present system is corrupt and only reactionaries block ''reform''.

Then he goes on:

Who cares if these common beliefs are either wrong or wildly exaggerated—or that most ''reforms'' would do more damage to democracy than any harm they might cure? The case against ''reform'' is almost impossible to make, because people's minds are closed.

That beginning of Mr. Samuelson's column, as I say, perfectly captures how I feel about this issue. Here is the history—again, in previous debates, I have gone through the history at some length. Mr. Samuelson summarized well:

The history of ''campaign finance reform'' is that every limit inspires new evasions. One possibility is that interest groups will finance more independent campaigns . . . to elect or defeat targeted candidates. ''Reformers'' view such ''issue ads'' . . . as shams. And so, the next step would be to curb such advertising, even if curbs flout the First Amendment.

Mr. Samuelson then goes on with this very insightful quote from one of the reform groups that summarizes how this debate has crystallized:

''Any effort to reform issue advocacy spending in connection with federal elections must strike a regulatory balance between protecting political speech and protecting the integrity of our electoral process,'' says one reform group.

Well, as Mr. Samuelson says:

The First Amendment says that ''Congress shall make no law . . . abridging the freedom of speech.'' There's no mention [in the First Amendment] of ''regulatory balance.'' And if elections and ''issue ads'' aren't about political speech, what are they about? ''Right thinking'' people minimize the conflict between ''campaign finance reform'' and free speech, because it is inconvenient.

Then Mr. Samuelson summarizes, and I think, again, this is the ultimate summary of the debate:

As long as we have the First Amendment, the effort to regulate elections—under the guise of ''campaign finance reform''—is futile, self-defeating, and undesirable. The hysteria about money's corrupting power worsens the very problem that reformers claim to deplore: public cynicism. But right-thinking people are oblivious to evidence or logic. They are at ease with their own respectable conformity.

I could not have done it better, so I didn't try. That is why I quoted it at that length. Let's go to the debate for a minute. By the way, I ask that I be informed when I have 5 minutes left.

The PRESIDING OFFICER. The Senator will be informed.

Mr. BENNETT. I thank the Chair. The Senator from New Jersey, Mr. TORRICELLI, took the floor a day or two ago to give us a glimpse of the real world that we are facing if certain portions of this bill go forward. He was arguing that we should not pass the substitute, commonly known as Shays-Meehan, because he said it will limit the speech of political parties and leave us to the mercies of special interest groups. I wrote down some of the things he said.

He said, ''The debate will be fought by surrogates over our heads in a far larger context.'' I agree with that absolutely. If political parties are limited in the amount of soft money advocacy in which they can be involved but special interest groups are not, special interest groups will simply ignore the political party by the ads themselves.

Mr. TORRICELLI laid out for us in great detail some of the stratagems that would be followed, thus validating the comments Robert Samuelson made about political money finding another way around, finding a new way to come into the arena. That is the real world we will face, and the junior Senator from New Jersey was exactly right in outlining how it will work. Yet we seem to go plowing ahead on the assumption that somehow the real world will be different if we just show how honest and anxious we are to appear not to be corrupt.

Let me give you some real-world examples. We have heard that from other Members of the Senate. People have talked about their own elections. I want to talk about several real-world examples from elections in which I have participated.

Let's go back to the 1998 election when I got reelected. My opponent complained about this very issue. He complained often and he complained as loudly as he could that somehow there is something broken about the system because, he said: I can't raise enough money to compete with Senator BENNETT. What is the matter with a system where ordinary people can't compete?

We pointed out to him in one of the debates that on the ticket with him was a sixth-grade schoolteacher running for Congress who raised more money than her incumbent opponent. What is the difference? The candidate for the Senate can't raise enough money, he says, to compete with me, whereas another Democrat in the same State, a sixth-grade schoolteacher, can raise enough money to compete against a sitting Congressman.

My opponent, by the way, according to his financial disclosure, is a millionaire. The sixth-grade schoolteacher clearly is not. The sixth-grade schoolteacher clearly depends upon her paycheck very heavily. The difference was not because of my personality or his personality. The difference was that the people who are involved in providing money for political races make a very cold calculation as to what your chances are.

When I first ran for the Senate, and I came to this town, and I did the circuit of all of these terrible places we have been hearing about on this floor asking them for money, they did not ask me what I believed. They didn't ask me, what will our access be if we give you money? They didn't say to me, gee, we want to know your positions before we decide. They wanted to know if I had a chance of winning because, they said: We don't back losing horses. And they were convinced I was a losing horse, and they didn't give me any. I went out of this town empty-handed.

I was outspent 3 to 1, with my opponent in a primary in the State of Utah spending $6.2 million. That sets a record on a per vote cast that I don't think has ever been broken. I was able to put my message across with a third of that amount, and I beat him, at which point people started to say: All right, now we will talk to you, because now that you have won the Republican nomination, it looks as if you may have an opportunity.

The problem my opponent had had nothing to do with his positions, had nothing to do with his own bank account, had nothing to do with his own personality. It was simply that he was perceived as a loser and the people who were giving money decided they didn't want to back a loser.

But here comes a sixth-grade schoolteacher with no money in the bank and no political experience of any kind, and they thought she might be a winner, so she got all the money she needed. She didn't win. One of the reasons she didn't win is very appropriate to this debate. She signed the term limit pledge; her opponent did not.

So Americans for Term Limits—or whatever they are called—came into that congressional district with a whole series of issue ads attacking her opponent, attacking him for his failure to sign the term limit ad. This is a special interest group with soft money. We have no idea where it came from. We have no idea in what amounts it was raised. We have no idea who signed on because they are not under the FEC. But they exercised their constitutional right. They came into the Second Congressional District in the State of Utah, and they flooded the airwaves with some of the nastiest, most vicious political ads I have ever seen attacking the incumbent Congressman.

What happened? Early polls showed that the sixth-grade schoolteacher was going to beat the incumbent Congressman. She had more money than he did. She had momentum. Then these ads started to run, and the reaction on the part of the voters in the second district—I heard it everywhere I went campaigning—was: We hate those ads. How can Lily Eskelson be so vicious as to run those ads?

She then went on the air, and she said: I am not running them. I don't

have anything to do with them. This is a special interest group. All I did was sign the term limit pledge, and Congressman COOK didn't.

Congressman COOK went on the air and said: I am the victim of a smear campaign. And in the minds of many voters, it was Lily Eskelson who was doing the smearing. She had absolutely no control over the ads. If she had, she would have pulled them. But she didn't. It was the special interest group that was exercising its constitutional right, and there was nothing she could do about it.

Congressman COOK appropriately protested: How can you attack me for violating term limits when I am running for my first reelection? He had only been in Congress one term. They were attacking him for being part of the system and not signing the term limit pledge that would have given him three terms. He said: Don't come after me until I have served at least the three terms you think are appropriate.

I think the special interest ads in the second district had a significant impact on the outcome of that election.

I point this out. Here is a sixth-grade schoolteacher with no money who is able to outspend and outfundraise her opponent because those who put up the money thought she has a chance to win. That is the criterion, nothing else. She lost the race because a special interest group came in and flooded the district with their ads, thinking they were helping her but were in fact hurting her.

If we say that political parties cannot defend themselves against these special interest ads, we will do exactly the thing about which the Senator from New Jersey talked. We will create a situation where the candidates become unimportant, and the special interest, in the words of the Senator from New Jersey, ''fight over our heads in a far larger context.''

The PRESIDING OFFICER. The Senator has 5 minutes remaining.

Mr. BENNETT. I thank the Chair.

This is the real world. The real world is a world in which attempts to get around the first amendment and attempts to find ways to regulate political speech backfire against the reformers, and they do not work.

One last description out of the real world. We have heard a lot on this floor this afternoon about access. All right, maybe we are not corrupt. We had that debate earlier last week whether or not we are all corrupt. So now we are being told, well, no, we are not corrupt. At least we have made that clear—not to Maureen Dowd, but to a lot of other people we are at least not corrupt. But we are somehow tainted by virtue of the fact that we can't control this access, and access becomes the issue rather than corruption.

As I said once before, the easiest way to get access to me is to be a voter registered in the State of Utah. I will take your call, and I will have you come into my office. But my opponent in this last election raised this issue of access in this context. As it so happens, he has been lobbying me for the entire time I have been in the Senate about a program of which he is in favor. He successfully lobbied me. I agree with him on their program. It is microcredit. I have done everything I can as a member of the Appropriations Committee to increase the appropriations for microcredit. And, frankly, I have been successful. All I did during the campaign was ask him this one question: Every time you came to see me to try to lobby on behalf of microcredit, did anyone in my office ever ask you if you had made a political contribution to Senator BENNETT?

He immediately said: No, no one ever asked me that question.

I said: Then why do you stand here and claim that access is for sale when you, now my opponent in this race, have had full access to my office for the entire 6 years I've been here?

It boils down to those who are corrupt will be corrupt regardless of the system; those who are not corrupt will not be corrupt regardless of the system.

For those who say we are now far worse than we ever were, I offer two last comments. No. 1, when I moved into the Dirksen Building, I noticed there was a safe in every Senator's office. My father was here when the Dirksen Building was built. Let me state why there is a safe in every office—for the Senators to put the cash they receive in their offices from people who come to see them. That doesn't mean they are corrupt. My father was not corrupt. But I watched him receive an envelope full of cash in his office in the Dirksen Building, and I watched him open the safe and put it in there. It happened, by the way, to have come from one of the senior Senators on the Democratic side of the aisle who said, ''I don't want any other Republican to be the ranking member of my committee; I want you to win, Wallace, and I raised this money for you.''

It was $5,000, which in those days was in excess of 5 percent of the total cost of a campaign. Dad put it in his safe in the Dirksen Building. When my office was renovated recently in the Dirksen Building, what did I do? I took the safe out because I have never used it, and I don't think any other Senators ever use it. We don't get offered cash in our offices anymore.

Second, David McCullough wrote the biography of whom many considered the most incorruptible President we have ever had, Harry Truman. In his biography of Harry Truman, David McCullough reports that the highest paid individual on Harry Truman's staff was Bess Truman, who lived in Missouri and never came to Washington or entered the Senator's office. Why was she his highest paid staff member? Because Senators routinely did that in order to be able to live on their salaries.

According to Mr. McCullough, Harry Truman was terrified the people of Missouri would find out he was paying Bess the highest permissible salary so he and Bess could handle the financial challenges of serving in the Senate. Was Harry Truman corrupt? No. Even in a corrupt system, and I am sure there are Senators who were, he was not a corrupt man. There may have been an appearance but the appearance did not mean the reality.

They changed the system. We are now paid a living wage. We don't do that anymore. We don't put our relatives on the payroll and have them not show up. But let Members not sit here and say the system is far worse now than it ever used to be. Politics in America is as clean as it has ever been and far cleaner than it used to be. Let's not do what Robert Samuelson warns against: In the name of campaign finance reform make things worse again.

I yield the floor.

The PRESIDING OFFICER. Under the previous order, the Senator from Oregon, Mr. WYDEN, is recognized.

Mr. WYDEN. I thank our colleague from Nebraska for his thoughtfulness. He has been waiting a long time, as well.

I am a supporter of the McCain-Feingold bill, this iteration, as with all others. It is an important step in the right direction. However, I believe the biggest problem is that campaigning in America has become a never-ending money chase. There is an election the first Tuesday in November. People sleep in on Wednesday and all the fundraising starts all over again on Thursday. It is truly a permanent campaign.

If I had my way, if I could write my version of what the Senate ought to do on campaign finance, we would look at some sort of approach along the lines of what is used in several countries in Europe. They confine their elections to several months over a period of a couple of years. Money can be raised. It has to be disclosed. It is spent. They have their election, and, heaven forbid, after a few months of campaigning, they go back to tackling the issues that all Members get an election certificate for—to improve health care, education, to try to stuff the nuclear genie back into the bottle, to create an opportunity for people who work hard and play by the rules.

We are, obviously, not going to get that kind of reform, although I have been amazed in the last few days when I have colleagues on both sides of the aisle say they like that and wish there was a bipartisan Senate task force to look at something similar. That really would be reform. We could spend most of our time doing a job for which we were elected.

For now, we are limited to steps that can be taken immediately that are effective. I have come to the floor this afternoon to talk about a step that Senator JEFF BINGAMAN and I have developed. It is an important step in the view of Senator BINGAMAN and myself. It limits negative campaigning.

My view from personal experience is negative ads are similar to a virus.

They infect everyone with whom they come in contact. In the special election to replace Bob Packwood in the Senate, unfortunately I didn't say no to some of those media consultants who told me to win, I had to just rip in to our colleague, my friend, Senator GORDON SMITH, with negative ads. I should have known immediately that all those negative ads run contrary to everything I got involved with when I began the Gray Panthers in Oregon to try to practice good government, but I didn't step in when I should have on the negative ads, and I regret it to this day.

With a month to go before that special election, I did tell my consultants I could not stand any longer the stench of the negative ads, and I told them to take them off the air. Moreover, I apologized to the people of Oregon. I said I made an error in judgment and it would not happen again. I ran my 1998 campaign, I am proud to be able to say, without mentioning my opponent at all.

I believe candidates ought to stand by their ads. They ought to be directly responsible for their ads. What Senator BINGAMAN and I will propose later this week is an approach we call ''stand by your ad.'' Specifically, the Bingaman-Wyden proposal says a candidate who mentions his or her opponent in a campaign ad must do so in person in order to get the lowest unit rate for advertising. Under current Federal communications law, broadcasters are required to sell commercial air time to candidates for Federal office at the lowest available price, known as the lowest unit broadcast rate. That means for 45 days prior to a primary or primary runoff, for 60 days prior to a general election. In effect, everybody else in town—the car dealership, the restaurant, the tire manufacturer—has to subsidize politics. Their ad costs are greater because broadcasters have to give these cheaper rates during the election cycle.

I think it is time to hold candidates personally responsible for their ads. I am amazed to find that all across the political spectrum I am joined in support of this idea. For example, in the House of Representatives, my Oregon colleague, GREG WALDEN, is a broadcaster by profession. He doesn't think this is bureaucratic or hard to comply with. He introduced in the House, as I did in the Senate, the ''stand by your ad'' approach that says candidates who mention their opponent have to do it in person to get the lowest unit rate. No first amendment violation here.

I recently received from the Library of Congress a legal opinion stating it would be constitutional to put in place the Bingaman-Wyden amendment, and I ask unanimous consent that legal opinion be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

CONGRESSIONAL RESEARCH SERVICE,
LIBRARY OF CONGRESS,
Washington, DC, October 18, 1999.

Memorandum To : Honorable Ron Wyden. Attention: Jeff Gagne, Legislative Assistant.

From: L. Paige Whitaker, Legislative Attorney, American Law Division.

Subject: Constitutionality of Conditioning Receipt of Lowest Unit Rate for Federal Candidate Broadcast Communications on Compliance With Attribution Requirements.

This memorandum is furnished in response to your request for an analysis of the constitutionality of a proposed amendment to S. 1593 (106th Cong.), ''McCain/Feingold II,'' which would amend 47 U.S.C. §315(b) to restrict the availability of the lowest unit rate for campaign advertising, in which a federal candidate directly references an opponent, to only those radio and television broadcasts where the candidate personally makes the reference. That is, in the case of a television broadcast directly referencing an opponent, the candidate would be required to make a personal appearance and, in the case of a radio broadcast directly referencing an opponent, the candidate would be required to make a personal audio statement identifying the candidate, in order to qualify for the lowest unit rate. Such personal appearance and personal audio statements are often referred to as broadcast attribution requirements.

In the landmark decision, *Buckley* v. *Valeo*, the Supreme Court made it clear that the right to associate is a ''basic constitutional freedom''[1] and that any action that may have the effect of curtailing that freedom to associate would be subject to the strictest judicial scrutiny.[2] The Court further asserted that while the right of political association is not absolute,[3] it can only be limited by substantial governmental interests such as the prevention of corruption or the appearance thereof.[4]

Employing this analysis, the Court in *Buckley* upheld the disclosure requirements of the Federal Election Campaign Act (FECA), noting that the ''ability of the citizenry to make informed choices among candidates for office is essential.''[5] Also of relevance, the *Buckley* Court upheld the FECA presidential public financing provisions, which condition a candidate's receipt of public funding on the candidate voluntarily agreeing to limit spending.[6] The Court found that the provisions did not infringe on free speech, but rather constituted a proper means of promoting the general welfare by actually encouraging public discussion and participation in the electoral process.[7]

In view of the Supreme Court's holdings in *Buckley* v. *Valeo*, it appears that the proposed amendment, to condition federal candidate receipt of the lowest unit rate for broadcast communications on candidates' voluntarily agreeing to comply with certain attribution requirements, would be upheld as constitutional. Similar to the FECA disclosure requirements and presidential public financial provisions, the proposal could be found to provide important candidate information to the voting citizenry. Moreover similar to the presidential public financing provisions, due to its voluntary nature,[8] the proposed amendment could be found not to infringe on free speech, but rather to promote the general welfare by increasing public discussion.

In addition, it appears that, requiring a radio or television broadcaster to condition providing federal candidates with the lowest unit rate for broadcast communications on candidates' voluntarily agreeing to comply with certain attribution requirements would also pass constitutional muster under Supreme Court precedent upholding reasonable access and equal time requirements.[9] For example, in C.B.S. v. Federal Communications Commission, The Supreme Court considered a federal statute allowing the FCC to revoke a broadcast license if the broadcaster willfully or repeatedly failed to grant a federal office candidate reasonable access to airtime or denied a federal office candidate the ability to purchase reasonable amounts of airtime. Although the Court did not rule that there is a general right of candidate access to the broadcast media, the majority held that the reasonable access statute constitutionally provided, on an individual basis, legally qualified federal office candidates with special access rights.[10] Moreover, as the Supreme Court found in Red Lion Broadcasting Co. v. F.C.C., ''it does not violate the First Amendment to treat licensees given the privilege of using scarce radio frequencies as proxies for the entire community, obligated to give suitable time and attention to matters of great public concern.''[11]

It is arguable that the subject proposal is a less onerous burden on broadcast licensees than the equal time and reasonable access provisions. As the Supreme Court has upheld the constitutionality of the equal time and reasonable access requirements, it is likely that the proposed requirement, that broadcast licensees condition providing federal office candidates with the lowest unit rate for broadcast communications on candidate compliance with certain attribution restrictions, would likewise be upheld.

L. PAIGE WHITAKER,
Legislative Attorney.

Mr. WYDEN. We have a proposal the law division of the Library of Congress believes is constitutional which has been introduced by broadcaster GREGG WALDEN, a conservative Republican serving in the other body. It is a chance to take a practical step to deal with these negative ads. I believe it is possible to have a real debate about public issues without taking an approach that coarsens the public dialog and alienates so many people from the political process.

I am very proud that Senator SMITH and I put out a bipartisan agenda for the people of our State. We said, on important things for our State, that politics is going to stop at the State's borders. We said we do not want a part of the negative politics practiced in that special election to replace Bob Packwood. Frankly, Senator GORDON SMITH

[1] 424 U.S. 1, 25 (1976) (quoting Kusper v. Pontikes, 414 U.S. 51, 57 (1973)).

[2] *Id.* at 25 (quoting NAACP v. Alabama, 357 U.S. 449, 460–61 (1958)).

[3] *Id.* (citing CSC v. Letter Carriers, 413 U.S. 548, 567 (1973)).

[4] *Id.* at 27–28.

[5] *Id.* at 14–15.

[6] *Id.* at 57, fin. 65 (noting that ''[j]ust as a candidate may voluntarily limit the size of the contributions he chooses to accept, he may decide to forgo private fundraising and accept public funding.'')

[7] *Id.* at 97–104 (finding also that conditioning receipt of public funding on complying with spending limits was a less onerous restriction than those in the ballot access cases with respect to minor and new parties.)

[8] That is, a candidate could legally not choose to comply with the broadcast attribution requirements and still purchase broadcast time at a price higher than the lowest unit rate.

[9] 47 U.S.C. §312(a)(7).

[10] 453 U.S. 367 (1981). See also, Farmers Educational and Cooperative Union v. WDAY, 360 U.S. 525 (1959) (upholding F.C.C. equal time requirements.)

[11] 395 U.S. 367, 394 (1969).

summed it up pretty well when we talked about those negative ads after he was elected to the Senate and people were talking about our working together. He asked me how I felt when he ran his ads; how my kids looked at those ads?

I said: Well, GORDON, they were pretty upset by those ads.

He said: What did you tell your daughter?

I said: GORDON, I said when you ran those ads, me looking like I hadn't shaved for a couple of weeks, like a convict who had just gotten out of prison, I told my daughter Lilly, ''GORDON SMITH doesn't mean those things. He's just kidding, Lilly. He doesn't mean those negative ads.''

GORDON, to his credit, said on television to the people of Oregon: I want to tell Lilly Wyden she's right. I didn't really mean those things I was saying about her dad.

Madam President, colleagues, we all know that this system is out of kilter. We all know that. Clearly we are going to have to take some bold steps in a bipartisan way to put it back on track. But I ask my colleagues to look seriously at the proposal that Senator BINGAMAN and I will bring to the floor later this week. It is a practical step that we could take against the virus of negative ads, negative ads that produce this spiraling effect where each side runs one that is more negative than the previous one, and the public is alienated.

Our proposal, based on the analysis done by the law division of the Congressional Research Service, is constitutional. Frankly, it is a lot less intrusive than a variety of requirements imposed on broadcasters right now. Broadcast licensees have to comply with equal time and reasonable access provisions. The Supreme Court has upheld them. The proposal we made that broadcast licensees providing the lowest unit rate available to candidates actually make the candidates offer their statements in person is one I am absolutely convinced the Supreme Court will uphold. They upheld the equal time and reasonable access provision. They will uphold this one as well.

It is time to change the current communications law and require, when candidates reference their opponent in a radio or television ad, that they have to appear in order to qualify for the lowest unit rate. If they do not want the lowest unit rate, they can go about the business of having various anonymous groups and sources continue to attack their opponent. But I do not think there ought to be a constitutional right to a broadcasters subsidy—that is what we have today—and, fortunately, the Library of Congress agrees with me. I think candidates ought to stand by their ads. Candidates for public office in the future ought to have greater direct responsibility for their ads.

The amendment Senator BINGAMAN and I have prepared would do just that. It is a complement to the proposal offered by Republican Congressman GREGG WALDEN in the other body. I hope my colleagues will look favorably on it. As one who comes to the floor today to talk about this negative ad question with personal experience, I will tell you I believe this issue, this question of the corrosive, ugly pettiness that has dominated so much of television advertising, ought to be at the top of the list of the reforms we pursue in this body. It ought to be at the top of our priority list, to look at ways to root out of American politics the negative nature of so much of this debate.

We can have profound differences of opinion. We can have sharp and profound differences of opinion without letting politics fall into the gutter of the negative, petty, ugly kind of politicking, as we have seen so many good people—good people—get caught up in across this country.

My colleague, Senator BINGAMAN, will have more to say about our joint proposal when he comes to the floor. I ask, again, when we get to this issue later in the debate, our colleagues look favorably on a proposal that I think will make a real difference in American politics and will begin to drain the swamp that has contaminated so much of our public dialog.

Madam President, I yield the floor.

The PRESIDING OFFICER. Under the previous order, the Senator from Nebraska, Mr. HAGEL, is now recognized.

Mr. HAGEL. Madam President, I rise in support of campaign finance reform. I first commend my colleagues, Senators MCCAIN and FEINGOLD, for their tireless efforts in keeping campaign finance reform alive and forcing the Senate to deal with its responsibilities.

The debate about campaign finance reform is one we need to have. All of us who have the high privilege to hold office have a responsibility to bring open and accountable government to the American people. This begins with an open and accountable campaign financing system. The American people must have confidence in such a system. Confidence in our political system is the essence of representative government. Our challenge has been to reform the excesses of the system while preserving the first amendment rights of all Americans to express themselves and engage in the political process.

In recent years, this challenge has caused Congress to shrink from serious attempts at campaign finance reform. We are better than that. America deserves more than a vacuous sleepwalk through this debate.

The Supreme Court has said Government can regulate how campaign finances are regulated as long as, No. 1, regulations are kept to a reasonable minimum, and, No. 2, they are designed to prevent corruption or the appearance of corruption. The appearance of corruption is a significant part of this debate.

My colleagues are not a bunch of campaign finance bandits or thugs, but in a democracy where citizens freely choose their leaders, perception does matter because perception is directly connected to confidence. Voters lose faith in the integrity of the political system when they lose confidence in the system. As they become demoralized and detached, citizens lower their expectations and standards for public officeholders. That produces a problem that goes beyond any remedy we can offer here on the floor of the Senate.

No amount of legislation can prevent scoundrels from exploiting campaign finance laws or any laws. We need to rise above partisan, ideological, personal rivalries and find common ground on campaign finance reform, elevate the debate, and enact relevant reforms.

For me, disclosure is the core of campaign finance reform. The overriding purpose of the campaign finance reforms enacted in the 1970s was to increase transparency and accountability in the political system. Disclosure rules for all who participate in the political process need to be a part of whatever reform package we produce. The public needs to see who is writing the checks, and for how much. The voter needs to be aware of the flow of campaign dollars. We should not fear an educated and informed body politic. All elected officials have an obligation to be part of that educational process.

In recent years, interest groups have come crashing into races in the home stretch, pouring huge amounts of money into radio and TV ads. All of us know stories of outside groups launching a late blitz of ads, moving poll numbers in the final weeks or days of a campaign, and then disappearing without the public knowing who they were and how much they spent for or against the candidate.

It is time to end this type of political stealth raid on campaigns. If individuals and organizations are going to participate in the electoral process—and they should; we encourage all individuals and organizations to participate—then the extent of their participation should be revealed to the public. As long as the voter can see where the money is coming from, and where it is going, our system will retain its integrity. I trust the American people to elevate this debate and evaluate the flow of money in campaigns.

In addition to the disclosure, we need to look at soft money contributions to national party committees. I appreciate the legitimate free speech and constitutional concerns in this area. Our purpose here is not to anticipate or resolve every hypothetical constitutional challenge. Our job here is to make policy. If complications or honest differences of interpretation and opinion result, that is why we have a judicial system.

What I do know is this. The unaccountable status quo on soft money

needs to be changed. Most constitutional experts say an outright ban on soft money probably is unconstitutional. Every court decision rendered so far on this issue has come down against an outright ban on soft money. But this unaccountable, unlimited flood of soft money cascading over America's politics should be checked. We have constitutional limits on individual contributions—so-called hard money. Why then should it be so outrageous to examine limits on soft money? What are we afraid of?

We need to find a middle ground between the extremes of banning soft money and leaving it unlimited, a middle ground where compromise is possible. We should also raise limits on donations of hard money by individuals and political action committees. This can be done by indexing individual contributions to inflation.

Raising the limits would have beneficial effects. Individual contributors would have an impact comparable to what Congress intended when reforms were first enacted in the 1970s. There would be more focus on individual participation in campaign financing. More campaign money would be under the direct control of candidates, making them more accountable for the spending and the conduct of their campaigns. Remember, this is hard money, accountable money.

These are the general principles behind the amendment I wanted to talk about today. But before getting to the specifics of this amendment, I have to say a word about the current process. We need campaign finance reform, but we are not going to get it through the predicament in which we find ourselves today—limited opportunities for debate, no opportunities for additional amendments, and no votes on those amendments.

My colleagues, Senators ABRAHAM, DEWINE, GORTON, and THOMAS, and I had planned to offer amendments to McCain-Feingold today. Now we are left only with the opportunity to talk about the amendments we would have offered if we had been given a chance to do so.

The amendments my colleagues and I intended to offer contained several significant changes in current campaign finance law. I will focus on the ones my colleagues and I believe are most important. Our amendment, first, would limit to $60,000 a year the total amount of soft money the national party committees combined could receive from an individual, PAC, corporation, or union.

A donor could give all $60,000 to one committee or spread the $60,000 over several committees. But the aggregate soft money donation could not exceed $60,000 per year. The limit would be indexed for inflation in future years. All union and corporate donations still would be treated as soft money to be used only for party-building activities. Union and corporate donations would not be treated as hard money for use in express advocacy or transfers to Federal candidates.

This is not a ban on financial support of parties. It is a return to the original intent of the campaign finance reforms of the 1970s, which worked until they were exploited and abused by, I might add, both parties. Nor is this a ban on political speech. There would remain many options. Donors who wanted to give more money for political speech could contribute to third party organizations.

I appreciate the legitimate free speech and constitutional concerns many of my colleagues and I have about these kinds of caps. This amendment offers a compromise that addresses the constitutional concerns while moving forward with reform legislation.

If the cap were challenged in court within 30 days after taking effect, the cap would be suspended until the conclusion of the court challenge. It is time now to adjust and index hard money contributions to inflation. For an individual, contribution limits would increase, for example, from $1,000 to $3,000 per candidate per election—and so it would go, for PACs and all committees. In future years, all limits would be indexed for inflation.

I have heard the argument that raising the hard money limits would give the wealthy too much influence and access. If we cap soft money and do not adjust the hard money limits, we will chase more money into the black hole of third party ads, where the public cannot view the flow of money. I want to bring more of that money into the sunlight, into the daylight, where the American people have access to who is giving money and how much. They can decide for themselves if a candidate has been ''bought'' by anyone.

Financial disclosure is the core of any campaign finance reform. This amendment would take the rules on broadcast ads that apply now to candidates and extend them to all political broadcast ads.

Under current Federal regulations, when a candidate places a political ad with a broadcaster, the broadcaster is required to keep a file on the ad that is open to any member of the public who wants to see it. In that file is a record of the following: The time the spots are scheduled to air, the overall amount of time purchased, and the rates at which the ads were purchased. This information must be recorded immediately and made available for public inspection.

Under current Federal regulations, when an interest group places a political ad with a broadcaster, it does not have to meet the same requirements. The public cannot find out: Who bought the ad, when the ad will run, how much time was purchased, and how much was paid for the ad. It is closed from public view.

This amendment would require that interest group ads relating to any Federal candidate or issue also must go into the broadcaster's public file. For those types of ads, the broadcaster would be required to record the same information it does for ads by candidates and parties, including the amount spent on the ad.

As with candidates and party ads, the information on these political ads would be recorded immediately and made available for public inspection. There would be no added burden on the broadcaster. The broadcaster would simply use the same form already used for candidate and party ads.

Full disclosure should apply to a political ad by an interest group just as it does for a political committee or candidate because the objectives, after all, of all the ads are the same.

Let me make clear one thing this amendment does not do. It does not require unions, corporations, or any organization to identify individual donors or provide membership lists. This amendment preserves a reasonable balance between the public's right to know which groups are attempting to influence an election and the privacy rights of individual donors to an interest group.

In conclusion, we have before us a unique opportunity to accomplish something relevant, reasonable, and meaningful. We have an opportunity to restore some of the confidence the American people have lost in their political system.

All of us in this noble profession of politics have a responsibility to set high standards in American politics. Improving our system that selects American leaders—who formulate and implement Government policy that frames the governance of our Nation—is a worthy challenge. We can elevate the process and make it better—more open and more accountable—which leads to a more informed public through a more relevant public debate, leading to a more accountable Government. Let us not squander this opportunity or debase our responsibility.

Before I yield the floor, Madam President, I ask unanimous consent that the Senator from Michigan be allowed to follow me.

Mr. MCCONNELL. Will the Senator from Nebraska allow me to make a couple quick comments?

Mr. FEINGOLD. Reserving the right to object.

The PRESIDING OFFICER (Mrs. HUTCHISON). The Senator from Wisconsin.

Mr. FEINGOLD. I understand I am to speak for 20 minutes following the speech of the Senator from Nebraska. Or does he have additional time?

The PRESIDING OFFICER. The Senator from Nebraska has 7 minutes remaining. Was the Senator from Kentucky going to ask a question of the Senator from Nebraska or was he asking him to yield the floor?

Mr. MCCONNELL. Does the Senator from Nebraska agree with me that since he has 7 minutes left, it would not interfere unduly with the Senator from Wisconsin, who has spoken a

number of times over the last few days, to allow his cosponsor, Senator ABRAHAM, to have the remainder of his time? Would the Senator from Nebraska agree with the Senator from Kentucky that would be a good way to proceed?

Mr. HAGEL. I agree with the Senator from Kentucky and yield my remaining 7 minutes to the Senator from Michigan.

Mr. FEINGOLD. With that understanding, I have no objection. I want to be sure that we are not adding additional time.

The PRESIDING OFFICER. Without objection, it is so ordered.

The Senator from Michigan is recognized for the remaining 7 minutes.

Mr. McCONNELL. Will the Senator from Michigan give me a moment to make an observation?

Mr. ABRAHAM. I will withhold.

Mr. FEINGOLD. I assume this is off the time of the Senator from Nebraska.

The PRESIDING OFFICER. That is correct.

Mr. McCONNELL. I want to commend the Senator from Nebraska. Some day we are going to pass real campaign finance reform. I think the proposal that my friend from Nebraska has outlined is very close to what someday, I hope, the Congress will pass. I commend him for an outstanding amendment.

Mr. ABRAHAM. May I inquire, in terms of the queue, what additional unanimous consent agreements have been entered into with respect to time?

The PRESIDING OFFICER. Following the approximately 5 minutes 15 seconds remaining for the Senator from Michigan, Mr. FEINGOLD will be recognized for 20 minutes.

Mr. ABRAHAM. May I ask, before the 5:45 vote that is slated, are there any other unanimous consent agreements that have set aside time?

The PRESIDING OFFICER. There are none.

Mr. ABRAHAM. I ask the Senator from Wisconsin if he would be willing to enter into a unanimous consent agreement which would allow me to speak for up to 10 minutes and then have his 20 minutes following because we would still be within the timeframe for the vote.

Mr. McCONNELL. Reserving the right to object, I am only interested in having about a minute right before the vote. Does the Senator from Wisconsin have any problem with that?

Mr. FEINGOLD. I have no objection to either request.

Mr. ABRAHAM. Then I ask unanimous consent that I have up to 10 minutes, followed by 20 minutes for the Senator from Wisconsin, followed by 1 minute for the Senator from Kentucky.

The PRESIDING OFFICER. Is there objection? Without objection, it is so ordered. The Senator from Michigan.

Mr. ABRAHAM. I thank my colleagues for their consideration.

I rise today in support of what I believe is a real, substantive solution to the vexing question of campaign finance reform. To my mind that question is this: how do we revive voter confidence in the electoral process without violating the fundamental guidelines laid down in our Constitution? The answer, I believe, lies in public exposure and voter knowledge. The more voters know about the sources of a particular candidate's campaign funding, the better able they will be to determine whether that funding has or will interfere with the candidate's ability to represent them.

The solution I support is in the nature of a substitute amendment. I have cosponsored this amendment along with Senators HAGEL, DEWINE, GORTON, and THOMAS.

It was my hope that my colleagues and I would be able to introduce this substitute on the floor and call for a vote. However, procedural barriers have been created which have undermined meaningful debate on this issue. In the end, these procedural barriers have prevented my colleagues and I from submitting our substitute for a vote. However, because I believe campaign finance reform is a critical issue which will be with us for some time to come, I feel compelled to say a few words about the contents of the substitute.

I believe that provisions in the substitute correct key, perceived problems in our campaign financing system. The first section of the substitute would increase disclosure. It would ensure that the public, and the candidates' constituents in particular, are made immediately and continuously aware the sources of candidates' financing. It also would ensure public notification of any candidate financing by an outside organization or interest seeking to influence the election.

How would the substitute accomplish these ends? By requiring additional monthly and quarterly disclosure reports for federal candidates and for national political parties. The substitute would also require national party committees to disclose their receipts and disbursements from non-federal accounts—as they are currently required to do so for their federal accounts. A variety of other disclosure components is also included in the legislation.

The second section of the substitute imposes reasonable restrictions on soft money. I am very concerned about the constitutional implications of a complete ban on soft money. Thus, our substitute would place a $60,000 cap on soft money, pending an expedited review by the Supreme Court. I believe this approach deals responsibly with the issue of soft money, without ignoring potentially serious conflicts with the first amendment.

Also included within the substitute is a provision that would raise individual and PAC contribution limits to adjust for inflation. The present limits have been in place since 1974, when the first law regarding campaign finance was passed by the Congress. It is clearly justifiable that these limits be raised to reflect the present economic realities while maintaining the disclosure provisions so that the public can continue to be informed about the sources of financing.

In addition, I would have liked to have been given the opportunity to submit an additional amendment to campaign finance legislation. I would have introduce an amendment limiting non-constituent contributions to 50 percent of the total raised by the candidate. This amendment would accomplish a multitude of goals. It would instill a guideline for the candidates, instill confidence in the voters, and would help dispel the all too common notion that candidates are improperly influenced by campaign contributions. In my view it is not difficult for a politician to arrange financing in a way that avoids the appearance as well as the reality of corruption.

In the context of my amendment, all federal candidates would have to follow the same rules, dictating that they receive no more than 50 percent of overall contributions from PACs and out of state donors. Political committees that do not have their national headquarters within the candidate's state would be considered ''out of state'' contributions for these purposes. Any individual who is not a legal resident of the candidate's state and contributes $200 or more to a candidate would also be considered an ''out of state'' donor.

Why do I suggest such an approach? Because I don't think we are addressing the serious perception problems that exist with respect to campaign reform when we stand on the floor and focus all of the amendments on who gives money to the national parties.

The fact is the party is not the individual who is on the floor of the Senate casting votes. It is the 100 Members of the Senate. I believe what is relevant is who supports us. Can we claim to represent constituents if more than 50 percent of the money we receive from our campaigns come from people we don't represent? I argue the answer to that is no.

I think much more than contributions to the national parties undermines our constituents' confidence that when we are on the floor we are acting in the best interests of our constituents and our States. In my judgment, this type of amendment—one that, unfortunately, will not be voted on—is an important and integral part of any legitimate campaign reform proposal. I am certain Federal candidates would find that they can run successful campaigns with this 50-percent imposed limit. More importantly, these limits would increase politicians' accountability to their own constituents and decrease the appearance of out-of-State special interest influence.

I ask unanimous consent the text of my proposed amendment be printed in the RECORD.

There being no objection, the amendment was ordered to be printed in the RECORD, as follows:

At the end of the bill, add the following:

SEC. 6. LIMITATION ON OUT-OF-STATE CONTRIBUTIONS.

(a) IN GENERAL.—Title III of the Federal Election Campaign Act of 1971 (2 U.S.C. 431 et seq.), as amended by section 2, is amended by adding at the end the following:

''SEC. 324. LIMIT ON OUT-OF-STATE CONTRIBUTIONS.

''(a) IN GENERAL.—A candidate for nomination to, or election to, the Senate or House of Representatives or the candidate's authorized committees shall not accept an aggregate amount of funds during an election cycle from individuals that are not legal residents of and political committees (other than a national political committee of a political party or a Senatorial or Congressional Campaign Committee of a national political party) that do not have their national headquarters within the candidate's State in excess of an amount equal to 50 percent of the total amount of contributions accepted by the candidate and the candidate's authorized committees during the election cycle.

''(b) EXCEPTION.—For purposes of the limit under subsection (a), a contribution in an aggregate amount of less than $200 in an election cycle from an individual who is not a legal resident of the candidate's State shall not be taken into account.

''(c) TIME TO MEET REQUIREMENT.—A candidate shall meet the requirement of subsection (a) on the date for filing the post-general election report under section 304(a)(2)(A)(ii).

''(d) NATIONAL HEADQUARTERS.—In the case of a political committee which is a separate segregated fund under section 316(b)(2)(C), the term 'national headquarters' means the national headquarters of the entity which establishes and maintains such fund.''.

(b) DEFINITION OF ELECTION CYCLE.—Section 301 of the Federal Election Campaign Act of 1971 (2 U.S.C. 431) is amended by adding at the end the following:

''(20) ELECTION CYCLE.—The term 'election cycle' means the period beginning on the day after the date of the most recent general election for the specific office or seat that a candidate is seeking and ending on the date of the next general election for that office or seat.''.

Mr. ABRAHAM. I believe the substitute, which I cosponsored with Senators HAGEL and THOMAS and GORTON and DEWINE, along with my proposed amendment, is the better way to reform campaign financing. I think it strikes a reasonable balance between addressing the issues of corruption with the constitutional concerns. I only wish these amendments had been allowed to reach the floor. I can assure my colleagues that I will continue to support real constructive campaign finance reform.

As I say, it is unfortunate that the structure of our procedures won't allow us to offer these variations. I think it is obvious to all Americans that right now we have an impasse.

The reason we have an impasse is because we have essentially only one alternative that is being treated as the only option available with respect to campaign finance reform. Clearly, the way to break a legislative logjam is to consider other alternatives. That is what the Senator from Nebraska and I are trying to do. Perhaps it won't happen in the context of this year's debate, but I hope in future debates we will go beyond the simple all-or-nothing approach that we have had in recent debates and give the rest of us a chance to have our amendments considered and voted on. I think that is the only way we are going to get to a conclusion that does, in fact, change the process, and for the better.

Mr. McCONNELL. Will the Senator yield for a comment?

Mr. ABRAHAM. Yes. If there is time remaining, I am happy to yield.

The PRESIDING OFFICER. The Senator has 2 minutes.

Mr. McCONNELL. I commend the Senator from Michigan, one of the Members of this body who truly understands this issue. I think the amendment he and the Senator from Nebraska have offered is a very important step in the direction that I ultimately think we will take—if we ever get serious about doing this on a bipartisan basis, rather than in a way that advantages one side and disadvantages another.

So I wanted to commend the Senator from Michigan for his outstanding work.

Mr. ABRAHAM. I thank the Senator from Kentucky. I haven't used all of my time, so I am happy to yield back the remainder of my time and I yield the floor.

The PRESIDING OFFICER. The Senator from Wisconsin.

Mr. FEINGOLD. Madam President, in a few minutes, the Senate, for the first time—let me reiterate that—for the first time, the Senate will go on record on the central issue in this debate: Should the Senate ban soft money?

It is a simple question that has a simple answer. And soon, finally, we will see where each Senator stands.

The fact that our current campaign finance system has created an appearance of corruption justifies Congress acting to ban soft money. In fact, if we don't act, we create the appearance that we don't care about corruption. Creating a legislative record of the appearance of corruption is critical because the Supreme Court has held that not just actual corruption but an appearance of corruption is adequate reason for the restrictions on the speech represented by campaign contribution limits.

Madam President, this is the central misunderstanding or flaw in the opposition's position. They have premised everything in this debate on the idea that you have to show individual Senators who are guilty of corruption. Well, of course, that isn't the standard at all. That isn't the law. Let me quote from the Supreme Court's opinion in Buckley v. Valeo because this is a crucial concept that opponents of reform often seek to ignore. The Court said:

> Of almost equal concern as the danger of actual quid pro quo arrangements is the impact of the appearance of corruption stemming from public awareness of the opportunities for abuse inherent in a regime of large individual financial contributions.

Madam President, I really don't think there is any doubt that our current system presents the appearance of corruption. And it isn't just soft money. We see it every day in the newspapers, and we hear it on television talk shows. It is portrayed as common knowledge, conventional wisdom, on radio talk shows that the votes of politicians are bought and paid for by special interests. When the Senator from Kentucky stands up and says that ''people contribute to our campaigns because they agree with what we are doing,'' I am sure he is sincere, but the public thinks there is something more than general feelings of support or like-mindedness at work when somebody hands over hundreds of thousands of dollars.

Let me give some examples of news stories in just the last three weeks that drive this point home. All of them make it perfectly clear to me, and I think to almost any American, that political donations are generally a way of attempting to buy influence and access. All of them add to the record that there is an appearance of corruption out there that justifies the Congress taking action to ban soft money.

Madam President, if this applies to hard money contributions, it surely must apply far more easily and obviously to soft money contributions.

Exhibit A is a story from the National Journal of October 2, 1999. I ask unanimous consent that this article be printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

[From the National Journal, Oct. 2, 1999]

BANKING ON PAXON'S GOP CREDENTIALS

(By Peter H. Stone)

It sure didn't take long for former Rep. Bill Paxon, R-N.Y., to shake up Akin, Gump, Strauss, Hauer & Feld, the home of Democratic superstars Robert S. Strauss and Vernon E. Jordan. At Paxon's behest, the blockbuster law and lobbying firm has joined the Republican National Committee's elite Team 100, whose members give $175,000 to the party every four years.

Since he joined Akin, Gump in January, after sifting through a score of job offers, Paxon, the former chairman of the National Republican Congressional Committee, has worked diligently to boost the firm's standing in GOP circles. Moreover, Paxon's arrival at Akin, Gump reflects the determination of K Street firms loaded with Democratic ties to adjust to the GOP's control of Congress.

It was no secret that Akin, Gump needed a GOP star. After the 1996 presidential elections, the firm courted Bob Dole, the GOP nominee and a former Senate Majority Leader. But instead he joined another heavily Democratic firm, Verner, Liipfert, Bernhard, McPherson and Hand. Two years later, Akin, Gump recruited Paxon aggressively and nabbed him as a ''senior advisor'' for an annual salary of about $750,000. Paxon gets an office next to Strauss, to boot.

Paxon, who was instrumental in the GOP's 1994 takeover of the Congress, enhances Akin, Gump's credibility among Republicans. After all, he has raised big bucks for House GOP leaders, the party committees, and the leading presidential contender George W. Bush, the Texas Governor. He has already attracted roughly a dozen new clients to the firm, including Americans for Affordable Electricity—a coalition of energy

producers, led by Enron Corp., and large users, such as the chemical industry—which backs quick utility deregulation. Paxon also earns his keep by advising several longstanding Akin, Gump clients on lobbying strategy.

Paxon conceded that Akin, Gump had a lot of fence-mending to do with the GOP. ''The firm had a reputation as a Democratic firm, unfairly so,'' he said. Despite the presence of such GOP stalwarts as Donald C. Alexander, Smith W. Davis, and Barney J. Skladany, the firm's superstars are former Democratic National Committee Chairman Strauss and President Clinton's golfing buddy Jordan. Joel Jankowsky, who heads the firm's lobbying team, is also a Democrat. ''We have needed to ratchet up our Republican profile to another level,'' Paxon added.

Paxon, 45 and a nonlawyer, is certainly trying. Since coming on board, Paxon has helped host 20 fund-raisers for House Speaker J. Dennis Hastert of Illinois, House Majority Whip Tom DeLay of Texas, Senator Majority Whip Don Nickles of Oklahoma, and others in the GOP. What's more, Paxon and his colleagues raised more than $250,000 for an NRCC dinner earlier this year and another $150,000 for a GOP Senate-House dinner. In late August, Paxon helped Hastert during the Speaker's successful fund-raising trip to Las Vegas.

Not surprisingly, NRCC Chairman Tom Davis of Virginia is a huge Paxon fan. ''Bill is still a very integral part of the culture over here,'' said Davis, who talks to Paxon a couple of times a week. ''He's been helpful in building bridges to groups. I consider him a right arm up here.''

Paxon is also one of a small number of K Streeters who meet regularly with Hastert to discuss party strategy and to swap information. He does the same with Chief Deputy Majority Whip Roy Blunt, R–Mo., who holds weekly meetings with lobbyists. During a recent session, Paxon maintained that the GOP should not worry too much about its record on Capitol Hill this year, because the party's generic poll numbers remain high as a result of the public's ''fatigue'' with the Clinton Administration and other factors.

Nationally, Paxon has proved to be a key fund-raiser and strategist for Gov. Bush. Paxon has raised more than $100,000 for Bush, with a major slice of the money coming from New York state. On Oct. 4, Paxon will cohost events in Buffalo and Rochester that are expected to pull in close to $500,000 for the Bush campaign. Campaign sources say that Paxon is likely to be named a member of Bush's national finance committee when the panel is expanded later this year.

Paxon has helped to secure congressional endorsements for Bush, whom he has visited three times in Austin. Paxon was instrumental in lining up Blunt as the point man for the Bush campaign in the House. In addition, he has advised the campaign on tapping various House members for fund-raising and other help.

Paxon's fund-raising skills, plus the experience he gained during five terms in Congress, have seemingly proved magnets for new business. Although he is barred by ethics rules from lobbying on Capitol Hill until next year, Paxon said he offers clients a cornucopia of other services. ''I help clients understand what kind of lobbying, grass-roots, and PAC (political action committee) programs they need to be effective in Washington.''

As for clients, Paxon is doing well. Americans for Affordable Electricity, for example, is paying the firm approximately $500,000 a year for Paxon's services, according to coalition sources. Paxon is the group's national chairman. What does Paxon do to merit such fees? For the AAE, Paxon has offered advice about how to approach members and what arguments sell well on Capitol Hill. He has also helped organize fund-raisers that the coalition has held for key members of the House Commerce Energy and Power Subcommittee, including its chairman, Joe Barton, R-Texas. Paxon is a former member of the panel.

In late September, Paxon and Marc D. Yacker, a member of the coalition's steering committee and a lobbyist for the Electricity Consumers Resource Council, attended a luncheon with aides to roughly a dozen Governors to discuss utility deregulation. Paxon has helped at the coalition's press conferences and been a guest on several radio talk shows. Paxon's name is also featured in the coalition's advertising campaign.

Several coalition leaders give Paxon high marks. ''The very fact that his name is on all the ads and that he's associated with the issue and the cause is a major boost to the coalition's legislative efforts,'' Yacker said.

But another coalition source complained that Paxon has failed to raise enough money to enable the coalition to compete with the utility industry's lobbying and advertising efforts.

Paxon, a Buffalo native, has corralled new clients in areas ranging from financial services to construction. Not surprisingly, some of that business comes from the Empire State. For instance, Paxon brought in the New York State Health Facilities Association, which is seeking additional Medicare reimbursement money. Moreover, Paxon is permitted to lobby lawmakers outside Washington, and he has already done some work in Albany, N.Y., for PG&E Generating Co., a unit of Pacific Gas & Electric Co.

Paxon also devotes a fair chunk of his time to helping the firm's longtime clients, such as AT&T Corp. In late September, Paxon participated in a morning press briefing hosted by the Competitive Broadband Coalition—of which AT&T is a key member—to introduce a multimillion-dollar television ad drive that will run in about 23 states and inside the Beltway. The coalition's ad message is aimed at countering lobbying by some Baby Bells, which want to revise the 1996 Telecommunications Act to allow them to provide high-speed data services in the long-distance market. Paxon will also advise the coalition on legislative strategy.

The lobbying battle has a personal dimension for Paxon. His wife, former Rep. Susan Molinari, R–N.Y., represents iAdvance, a coalition that includes several Baby Bells. ''Every now and then, we square off,'' quips Paxon. ''It's not exactly (James) Carville and (Mary) Matalin.''

According to Paxon, his move from Capitol Hill has proved to be relatively smooth. ''In the leadership, we spent a lot of time strategizing on legislative issues, working on the public angles, and trying to keep an eye on the big picture,'' he added. ''It's the same downtown.''

Of course, Paxon's transformation from congressional leader to thriving lobbyist, a success greased by plenty of campaign cash, has provoked some indignation from longtime critics of the money game. ''Bill Paxon may have changed jobs, but he doesn't appear to have changed his role as a big-time player in the Washington influence-money game,'' said Fred Wertheimer, the president of Democracy 21, a group that advocates campaign finance reform.

But at Akin, Gump, legendary lobbyist bob Strauss is bursting with pride about the success of the firm's Republican hire. ''He fit in from day one,'' crows Strauss. ''He's a franchise player. He'll continue to make contributions, not just to the business of the firm, but the character and the culture of the firm.''

Akin, Gump is banking on that.

Mr. FEINGOLD. Madam President, this article reports that former Representative Bill Paxon, who retired last year, has signed with the law firm of Akin, Gump, Strauss, Hauer and Feld. Akin Gump is one of the powerhouse lobbying firms in Washington. Its partners include big name Democrats Robert Strauss and Vernon Jordan. Paxon is not a lawyer, so his title is ''senior advisor.'' What that means is that he will be a lobbyist and ''rainmaker'' for the firm.

Apparently, Akin Gump, a firm known for its Democratic Party ties, hired Mr. Paxon to ''mend fences'' with the Republican Party. And how does Mr. Paxon do that? According to this article, the main thing he does is raise money for Republican Members of Congress and the Republican Party. The National Journal reports that Paxon has helped host 20 fundraisers for the Speaker of the House, the House majority whip, the assistant majority leader in the Senate, and other Republican office holders. He has also raised more than $250,000 for an NRCC dinner, and another $150,000 for a Republican House-Senate dinner this year. He has raised over $100,000 for Presidential candidate George W. Bush.

Let me quote from the article:

> Not surprisingly, NRCC chairman, Tom Davis of Virginia, is a huge Paxon fan. ''Bill is still a very integral part of the culture over here,'' said Davis, who talks to Paxon a couple of times a week. ''He's been helpful in building bridges to groups. I consider him a right arm up here.''

The article reports that Mr. Paxon participates in a weekly meeting that lobbyists hold with Majority Whip DELAY and meets regularly with Speaker HASTERT.

The article continues:

> Paxon's fundraising skills, plus the experience he gained during five terms in Congress, have seemingly proved magnets for new business. Although he is barred by ethics rules from lobbying on Capitol Hill until next year, Paxon said he offers clients a cornucopia of other services.

Madam President, let's leave aside the revolving door problems in Mr. Paxon participating in weekly meetings that Mr. DELAY holds with lobbyists. Can there be any question that that is an appearance problem? Here we have a former Member of Congress whose stock in trade is raising big money for congressional leaders and candidates. Do we really blame the public for thinking he is getting special treatment for his clients?

Mr. DAVIS calls him an integral part of the culture over here. Just what kind of culture is this? Certainly not the kind of culture I would be proud to tell my children and grandchildren about. Certainly not a culture that we should nourish and preserve for the future of our democracy.

He is a right arm for the congressional leadership? The public might be excused for asking: Just who is the right arm for whom in this relationship?

Exhibit B. On October 5, the day before the House considered the Patients'

Bill of Rights, according to press reports, officials for Cigna, Blue Cross-Blue Shield, and Aetna held a $1,000 per plate breakfast fundraiser for the Speaker of the House. Press reports the next day said that 15 or 17 health insurance industry lobbyists attended the event. Atlanta Constitution columnist Tom Baxter wrote the following:

The condition of the political ground could be judged by the keen attention of all the television networks to a breakfast fund-raiser this week at which insurance lobbyists arrived with checks for Hastert and others. Not that such scenes aren't common these days, but the timing made this a photo-op for campaign finance reform.

Indeed. I remember seeing reports on the national TV news about this event. And I thought to myself: ''what can the average American watching on TV think about this scene?'' ''How can anyone not think this is wrong?'' Actual corruption? We will never know. The appearance of corruption? Without a doubt. The headline of this AP news story tells it all: ''Insurers Give Speaker Thousands on Eve of Vote.''

I ask unanimous consent, Mr. President, that this article from the Bergen County Record on this fundraiser be printed in the RECORD at this point.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

[From the Bergen County (NJ) Record, Oct. 6, 1999]

INSURERS GIVE SPEAKER THOUSANDS ON EVE OF VOTE

(By David Espo)

One day before a closely watched vote on health care, House Speaker Dennis Hastert attended a fund-raising breakfast Tuesday with industry representatives who gave $1,000 apiece to his political war chest.

''I'd like to ask them about sitting down with America's families instead,'' President Clinton chided from the White House as he sought to build support for legislation granting patients the right to sue their health insurance companies.

Hastert, who opposes the bill, defended his previously scheduled meeting and sought to turn the tables on the White House. ''Mr. President, I hope you will say no to helping trial lawyers, and say yes to helping the 44 million Americans who want health-care coverage,'' the Illinois Republican said in a written statement.

The exchange underscored the deep philosophical and political gulf between the two parties on health care at a time when government statistics show the number of uninsured continues to increase.

The White House, most Democrats, and some Republicans are supporting legislation to strengthen patients hands in dealing with their managed care companies. Among prerogatives would be the ability to sue for damages when prescribed care was denied.

Republicans counter that such provisions will merely raise the cost of insurance and prompt some employers who now offer insurance to their workers to drop it.

Facing a likely setback on that measure, the GOP leadership is proposing a companion bill that provides numerous tax breaks to make health insurance more affordable.

Their ''access'' bill also includes a provision opposed by many Democrats to expand a current small program allowing medical savings accounts. Another would give small businesses the option to buy health insurance under federal rather than state regulation. That would exempt them from state mandates that bigger self-insured companies avoid.

''It's not the severe poor who don't have health care,'' Hastert told reporters. ''There are government programs that reach out. It's working people today, who are working for small business or who run their own shop or they go from job to job, who need the ability to get health care.''

Hastert pledged a ''fair and open debate of the health-care issue'' today when the legislation reaches the House floor.

The debate will come against a backdrop of a fresh government report that estimates 44.3 million Americans, one in six, had no health insurance coverage in 1998.

The Census Bureau survey found the number without coverage grew by nearly a million, but overall population growth kept the rate about steady, 16.3 percent in 1998, compared with 16.1 percent in 1997. In 1996, 15.6 percent lacked coverage.

Public opinion polls show the issue is high on the public's list of priorities, and GOP leaders have struggled for months in a narrowly divided House to keep control of it.

Hastert held the fund-raising breakfast for his political action committee a few blocks from the Capitol.

Aides said it was scheduled several weeks ago. There was no word on whether there was consideration of rescheduling the event given the close proximity to the House's debate.

''I've listened to everybody in the health-care business for a long time,'' the Speaker told reporters in the Capitol.

''The die is cast already on what the health legislation is going to be. So there's no influence there whatsoever.''

An invitation to the event was issued in the name of officials of Cigna, Blue Cross-Blue Shield, and Aetna.

Mr. FEINGOLD. Madam President, an article that appeared in the Capitol Hill newspaper The Hill on September 29. Here's another great headline: ''Why 30 top Democratic lobbyists attended GOP chairman's bash.''

This article reports however, that 30 top Democratic lobbyists attended a fundraising dinner for a Republican committee chairman at the home of Democratic super-lobbyist Tommy Boggs.

I bring this article to the attention of the Senate not to cast aspersions on any Senator. My interest in this article is in the views of lobbyists on fundraising, and the appearance it creates for the public that reads about it.

Let me quote from the article: ''Indeed, it would be tantamount to political suicide for Democratic lobbyists—or Republican lobbyists for that matter—who specialize in the [the issues] that are the focus of [the chairman's] committee and the lifeblood of their corporate clients, if they desert him in his hour of need.''

Here are a few quotes in this article from lobbyists who were questioned on the irony of Democratic lobbyists making contributions to a powerful Republican chairman of a Senate committee. One said: ''In situations like this, I tend to be a strong fan of incumbency.'' Another said, ''Most lobbyists know which side their bread is buttered on.'' And this is what a staffer on the House side had to say: ''Any time you have a chairman of [a committee] running for reelection, and you're lobbying . . . issues before the committee, you risk having your issue blown out of the water if you don't contribute to his campaign. The game in this town is to support the incumbent.

Mr. President, I don't suggest that these lobbyists bearing gifts have swayed or will sway a chairman on substantive issues, but they sure are trying. And I have avoided using the Senator's name because I don't think he has been swayed. But we all have to admit that these kind of comments create a perception, an appearance, that campaign contributions are given because of the effect they will have on policy.

Madam President, let me anticipate a question by the Senator from Kentucky. Most of the fundraising in these articles is hard money fundraising, isn't it? It is all legal under our system. Thousand-dollar checks to candidates are permitted under the Federal election laws, aren't they? The answer, of course, is yes. But what strikes me is the obvious appearance of corruption that is present when a lobbyist specializes in throwing fundraisers for candidates or when members of Congress solicit even these relatively small donations from people with an interest in legislation, especially on the eve of a crucial vote.

Madam President, can there be any doubt that an outrageous appearance of corruption arises when the same Members of Congress are involved in raising hundreds of thousands of dollars of soft money in a single phone call for the political parties? As Justice Souter said just a few weeks ago at the oral argument in the Missouri case—''Most people assume, and I do certainly, that someone making an extraordinarily large contribution gets something extraordinary in return.''

That brings me to another exhibit in our legislative record of the appearance of corruption—a story that appeared yesterday in the Washington Post about the effort that the Democratic party—my party—is making to raise soft money in order to retake the Congress. According to the article, the Democrat Congressional Campaign Committee increased its soft money fundraising from $5.1 million in 1994 to $16.6 million in the '98 cycle. It is now going after the really big givers with an innovation called Team 2000. The Post story describes Team 2000 as ''[A] new club for $100,000 and over donors who would be feted by the party at exclusive events, including a weekend of clambakes and sightseeing.''

The article describes the wooing of Steven Wynn, owner of Mirage Resorts in Las Vegas, who gave a $250,000 contribution to the DCCC in May of this year. The article indicates that Wynn is angry about the impeachment of the President and with the Republican failure to stop the antigaming crusade of a Member of the House.

Incidentally, this information is not included in this particular article, but

I have learned that the Mirage Resorts gave an identical $250,000 amount to the National Republican Senatorial Campaign Committee in July of this year.

So I guess Mr. Wynn got over his anger and realized that he had better play both sides of the fence, as many big soft money donors do.

Madam President, I ask unanimous consent this Washington Post story be printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

[From the Washington Post, Oct. 17, 1999]

DEMOCRATS' FAST TRACK IS 'SOFT MONEY'

(By Susan B. Glasser)

The House Democrats' courtship of Steve Wynn—owner of Mirage Resorts, grandiose prophet of the new Las Vegas, and major Republican donor—began four years ago with a cold call from David Jones, Minority Leader Richard A. Gephardt's top fund-raiser.

Wynn took the call, and soon Jones was flying out to breakfast at his golf course mansion along with Rep. Charles B. Rangel. The gravelly voiced New Yorker became the Democratic point man, reciprocating Wynn's hospitality with a tour of his Harlem district.

By last February, when Jones and Rangel met with Wynn in his Las Vegas office, they didn't even have to make their pitch. Wynn had told friends he was angry at ''mean-spirited'' House Republicans for impeaching President Clinton. Besides, he complained, they had neglected him, and hadn't stopped Rep. Frank R. Wolf's (R–Va.) anti-gaming crusade. He was ready, Wynn said, to help the Democrats regain control of the House.

How much, Wynn asked, do you need me to help raise out of Nevada for the 2000 election? Jones knew that during the entire 1998 election, the House Democrats' campaign arm had only collected about $110,000 from Vegas, so his answer was an audacious one: $1 million to $1.5 million. Done, Wynn replied.

The first installment—a $250,000 corporate check from Mirage Resorts—was Wynn's downpayment on a bet that Democrats will take back the House next year. It also suggests one reason why they might succeed. With the Democratic Congressional Campaign Committee as their vehicle, they are raising record amounts of money for next year's races, trading on their new electoral competitiveness to raise funds earlier and in larger amounts than ever before.

''Soft money''—the term of art for the unlimited contributions that corporations, unions and wealthy individuals can give for so-called ''party building''—has fueled an explosive growth in fund-raising for both parties since the 1996 elections, when campaign operatives figured out a way to legally spend it on TV ads that focused on individual candidates.

But this year it is the House Democrats who have been most aggressive in increasing the amount of soft money they raise, even as they lead the campaign in Congress to eliminate it. Driven by Gephardt and Rep. Patrick J. Kennedy (D–R.I.), the chairman handpicked by Gephardt, the DCCC is out to reverse its traditional status ''at the bottom of the fund-raising food chain,'' as former Rep. Vic Fazio (D–Calif.) put it.

In just the first six months of this year, the DCCC raised $17 million total—$9 million of that in soft money. That marks a stunning 373 percent increase in soft money compared with the first six months of 1997—the highest rate of growth for any party committee. The fund-raising escalation foreshadows an election season next year when both parties will pour a million dollars or more into more than 30 House races whose outcome will determine control of Congress.

Some of the money is from businesses like Wynn's Mirage Resorts; some is from well-heeled individuals giving $100,000 each, such as Slimfast founder S. Daniel Abraham, National Enquirer heiress Lois Pope and Florida Marlins owner John W. Henry. As of June 30, Democrats had attracted 21 six-figure soft-money givers compared with 14 for Republicans, according to data compiled by the Campaign Study Group. Those checks came from groups or individuals who had never before made such a financial commitment so early.

Since individual members can't raise soft money for their own campaigns, the DCCC and the National Republican Congressional Committee do it for them. This embrace of soft money—legally meant to go only for ''nonfederal'' purposes—is particularly ironic since the two campaign committees exist for the sole purpose of electing federal candidates.

In recent years, the soft money powerhouse on Capitol Hill has been the NRCC. Since the beginning of 1997, a new Common Cause study found, the House Republican committee has raised more of it than any other congressional committee: a total of $37.8 million. So far this year, the NRCC has outraised the DCCC overall $27 million to $17 million. And in House Majority Whip Tom DeLay (R–Tex.), the subject of a story Monday, the Republicans have the single most effective fund-raiser in Congress.

But slightly less than a year before the congressional elections, the House Democrats have significantly cut into the GOP's fund-raising advantage.

The DCCC is running essentially even with the NRCC in soft money raised this year, and Democrats are ahead for the first time ever in cash on hand: $10.7 million to the NRCC's $10.1 million.

''Republicans have experienced growth,'' said David Plouffe, the Gephardt strategist who is now executive director of the DCCC. ''We've experienced much greater growth.'' By design, the Democratic growth strategy has focused on soft money, seeking contributions from a new club—''Team 2000''—for $100,000 givers, and on what several sources said was an organized effort to get labor unions to ''frontload'' their contributions by giving as much as possible early in the election cycle.

Republicans have hardly ignored big givers. After the Democrats upped the ante, NRCC Chairman Tom Davis (Va.) imitated them with his own $100,000 program—the ''Business Leadership Trust,'' a name reflective of the GOP's financial base. The GOP is also starting a new national finance committee to recognize corporate CEOs and top lobbyists. And when it comes to big checks, the NRCC lays claim to the biggest single donation of the year: $300,000 from Chiquita banana king Carl Lindner.

''Soft money follows power,'' said Davis, recognizing that the Republicans' takeover of Congress in 1994 has immeasurably boosted their fund-raising capacity. But he argued that Democrats have benefited most, leveraging the power of the presidency for their financial gain.

ERODING THE GOP EDGE

For decades, Democrats have gone into campaigns knowing they would be outspent. Taking over the DCCC in 1981, when Republicans had a fund-raising lead of 13 to one, Rep. Tony Coelho (D–Cal.) cut into that edge by convincing businesses they should invest in what was then the congressional majority. Coelho, now Vice President Gore's campaign chairman, also professionalized the DCCC, insisting for example that a campaign hire pollsters before it could receive a dime from the committee.

But the game then was hard money—strictly limited contributions of no more than $20,000 a year to party committees. At the time, before a succession of court rulings and Federal Election Commission cases, soft money was an add-on, used to finance building projects and television studios but never contemplated as a thinly veiled way around the contribution limits to specific races. And so the dollar amounts were low, amazingly so compared with the current checks.

''In retrospect, we were pikers,'' said one former Coelho adviser. ''We thought we were pushing the envelope when we were asking people for $5,000.''

And yet Coelho was a transformative figure, his close ties to S&L power brokers and aggressive style memorialized in a book, ''Honest Graft,'' by journalist Brooks Jackson that showed members how the DCCC and the NRCC could become fund-raising powerhouses and use that money to wield more influence over campaigns. New York Republican Bill Paxon, who took over an NRCC deeply mired in debt in 1993, said flatly, ''Coelho was my model'' as he reinvented the committee in time for House Republicans to win the majority for the first time in 40 years.

In 1994, the last election before soft money's rise, the NRCC raised $7.4 million in soft money, compared to $5.1 million by the DCCC.

When Texas Rep. Martin Frost became chairman of the DCCC in 1995, he knew the Democrats were going to have to raise money differently. In the minority after four decades of power, they no longer had the legislative club that Coelho had taught them to wield with the K Street lobbyists who controlled business giving.

''Once we went into the minority, we had to reach beyond the PAC community in Washington,'' said Frost, who led the DCCC in the 1996 and 1998 elections and is now the Democratic Caucus chairman. ''We really had to work the rest of the country aggressively.''

Clinton and his advisers supplied the blueprint, using the Democratic National Committee to fund an unprecedented $35 million ad campaign to boost his reelection and paying for the ads with mix of hard and soft money. On Capitol Hill, members quickly grasped the implications: soft money could now be used to launch candidate-specific TV ads that were legal as long as they avoided the magic words ''vote for'' or ''vote against.''

Frost was planning to raise more soft money—but only to fund more traditional activities, like election-day turnout and overhead expenses. To start, he had to confront a party committee without much of a national donor base. ''We weren't really thinking about soft money,'' said Matt Angle, Frost's top aide. ''We were thinking about new money.

When they arrived at the DCCC, Angle said, they found that only 100 or so individuals had ever given more than $1,000 to the DCCC. Democratic House members, still stunned by their party's defeat, were reluctant to hit up their own big donors for the committee. And most donors had never heard of the DCCC, assuming it was an affiliate of the DNC.

''We had one guy who was a $100,000 giver,'' Frost said, New Jersey businessman Grover

Connell, a rice broker who figured in the Koreagate scandal of the late 1970s and as long ago as the Coelho days was already giving $50,000 a year to the DCCC.'' ''He was the only one we ever had,'' Frost said. ''I said, 'Well, if Grover will give that much, we should start asking other people for larger figures.' ''

Meanwhile, the predicted switch in business giving was coming to pass—Republicans, led by Speaker Newt Gingrich (R–Ga.) and DeLay, made an aggressive push to shut down Democratic money on K Street. By the 1998 election, about 65 percent of business funds were going to the House GOP.

Overall, the DCCC raised $16.6 million in soft money to the NRCC's $27.8 million for last year's election—225 percent more for the Democrats and 274 percent more for the Republicans since 1994.

Gephardt was already a top fund-raiser, a master of ''the big ask,'' and yet, said Frost, ''we didn't have 100 percent of his attention.''

But last fall's election, when Democrats shocked even themselves by whittling the House GOP's majority to just six seats, galvanized Gephardt, a believer in the power of political soft money since his 1988 presidential campaign sputtered to a finish on Super Tuesday, several million dollars in debt.

GEPHARDT AIMS FOR SPEAKER

Two days after last year's election, Gephardt convened his top advisers and started planning for the 2000 campaign. His goal, it was clear, was to become speaker—not to run for president. While he didn't announce that decision until February, Gephardt quickly began planning his DCCC strategy, deciding to transfer virtually all his political operation to the committee.

As chairman, Kennedy would be Gephardt's ''director of sales and marketing,'' in the words of banking lobbyist Tom Quinn, a longtime Kennedy family backer. Unabashed about trading on his family name, Kennedy was seen by Gephardt's team as a financial asset. ''Patrick being chairman means an additional $10 million to $20 million for the DCCC,'' argued a leading party fund-raiser.

Jones, Gephardt's top money man, was put on contract at the DCCC. So was Richard J. Sullivan, the young lawyer who had served as the DNC's finance director in the 1996 election and was the lead-off witness in hearings held by Sen. Fred D. Thompson (R–Tenn.) about the influx of foreign money to the DNC in 1996.

The idea was to personalize the committee, selling donors on the future speaker. Kennedy said he often tells would-be contributors: '' 'This is the Dick Gephardt for Speaker committee.' They get that. It personalizes it.''

Gephardt himself calls big donors, not just to ask but also to thank. ''He's the kind of guy who understands that in order to get dessert, you have to eat your vegetables,'' said Erik Smith, a Gephardt aide who is now the DCCC's communications director.

Determined to take advantage of the political momentum generated by the November election gains—and to play off the outrage felt by Democratic donors about the GOP House's impeachmnent of Clinton—the DCCC decided to focus its efforts on soft money and to push earlier than ever for major checks.

But Kennedy himself proposed the most audacious innovation, according to his aides. Until then, the biggest dollar program at the DCCC had been the Speaker's Club, price of entry: $15,000 in hard money. Kennedy created ''Team 2000,'' a new club for $100,000 and over donors who would be feted by the party at exclusive events, including a weekend of clambakes and sightseeing at the Kennedy family compound in Hyannisport last month.

Big donations began to roll in: $250,000 from the Communications Workers of America, whose political director considers herself Kennedy's ''fairy godmother'' in the labor movement; $210,000 from AFSCME; $102,000 from AT&T; $100,000 from Texas trial lawyer Walter Umphrey's firm, Price Club founder Sol Price and others.

The Democrats are eagerly keeping score: according to the sheet handed out at each week's Democratic Caucus meeting, Gephardt has already collected $6.8 million for the DCCC and House candidates this year, followed by Kennedy at $6.2 million, aspiring Ways and Means Chairman Rangel at $1.9 million and Frost at $670,000.

Contributors who have dramatically increased their help to the House Democrats this year cite everything from personal loyalty to Gephardt to disaffection with the Republicans to a sense that the Democrats may lose the White House and therefore need to go all-out to retake control of at least one branch of government.

Richard Medley, a Wall Street analyst and former congressional aide, mentioned all three. ''I've been a friend of Gephardt's for probably ten years,'' said Medley, who hosted a July dinner in New York with former treasury secretary Robert E. Rubin that raised $300,000. But he also referred to pessimism about Vice President Gore's chances to win next November: With GOP front-runner ''George W. Bush doing so well, it's important to take out an insurance policy hoping to have at least one branch controlled by Democrats.''

Personal service from Gephardt and Kennedy also helps land donors. That certainly was the case with the $100,000 check from David Alameel, a wealthy Dallas dental clinic owner. Alameel was already on the radar of Frost and his team, but they had no idea he would become a six-figure contributor.

Frost duly set up the meeting with Kennedy and, in the end, he said, ''Patrick was the one who convinced him.'' The $100,000 check came in on June 21.

Indeed, Kennedy has produced a number of eye-popping checks from unexpected sources, like the $100,000 from Lois Pope, the Palm Beach heiress to the National Enquirer fortune. The wooing of Pope included Kennedy flying to Florida to present her with an award for her charity work.

''One of the great joys of my job is meeting people who inspire me,'' Kennedy gushed as he presented her with a ''distinguished service award'' from Citibank Private Bank of Florida. ''I feel the energy that they feel for this country. Those of you who know Lois know that energy comes through.'' That was on April 7. On May 28, the DCCC received Pope's $100,000 check.

An even larger amount came as the result of his friendship with John J. McConnell Jr., a trial lawyers for Ness Motley Loadholt Richardson & Poole, a South Carolina-based firm that has earned millions of dollars from representing states in the tobacco settlement. Operating out of the firm's Rhode Island office, McConnell worked hard to introduce Kennedy to colleagues, flying him on the corporate jet so he could spend time with senior partner Ronald L. Motley and hosting a dinner on Capitol Hill for Kennedy, Gephardt and other trial lawyers with deep pockets.

On June 30, the courtship paid off—with a check for $250,000. ''No question about it,'' McConnell said, ''that was a personal contribution to Patrick.''

SPENDING IN NEW WAYS

That check—and all the others—will go into a new pot of soft money that the DCCC will be able to spend next year in ways not envisioned by the 1974 election law, which restricts the parties to direct and coordinated gifts to their House candidates of only about $100,000 each. The idea behind the law was ''to take fund-raising out of the hands of the party committees and give control of it to candidates themselves,'' as GOP pollster Brian Tringali put it.

Instead, with soft money issue ads and sophisticated voter identification programs, the parties are planning to spend upwards of $500,000 or $1 million each in next year's key districts. That gives the parties more say over how campaigns are run, what they are saying and who they are saying it to.

''Practically speaking,'' said a top Democratic fund-raiser, ''you can take a race that is a $1 million House race and turn it into a $3.5 million race with soft money. In a day and age when parties themselves are not as strong, individual party committees are stronger than ever.''

For Kennedy and his staff, the new emphasis on soft money is simple political pragmatism. ''You can really draw a direct correlation between the amount of money in a campaign committee and the impact it has in terms of getting members elected,'' he argued.

To win, Kennedy said, ''we need to raise an even greater amount of money. In practical terms, that means we need to raise it in bigger chunks.''

Mr. FEINGOLD. Madam President, how can we close our eyes to the appearance of corruption that this enormous fundraising effort provides? How can we close our eyes to the appearance of corruption that the double givers list that I have shown on this floor a number of times represents? Mirage Resorts is now on the list. Companies give hundreds of thousands of dollars to both political parties—hundreds of thousands of dollars to both political parties. What game are they playing here?

The Senator from Kentucky said on the floor last week, ''Well, they have a right to be duplicitous.'' Actually, Madam President, they are not being duplicitous. We all know they are giving to both sides. They are just playing by the rules as we have set them up. They are not doing anything that is dishonest. They are simply trying to cover their bases. Surely, the Senator from Kentucky doesn't think when AT&T gives a big contribution to the National Republican Senatorial Campaign Committee that it won't give money to the Senator from New Jersey's Democratic Senatorial Campaign Committee as well.

We all know why they do it, too—because in the candid words of a lobbyist, ''They know which side their bread is buttered on.'' Both sides—the bread is buttered on both sides. They play both sides of the fence so they can get their calls returned and their positions heard. That, my friends, is on its face an appearance of corruption. And if we are so caught up in this fundraising game that we can't see it, the disenchantment the public feels in its elected officials is well warranted.

Last week, the Senator from Kentucky suggested that press reports about the connection between campaign donations and legislative actions arise from the desire of newspapers to

sell more copies or talking heads to get air time. But the newspapers didn't create the appearance problem. We did.

I am reminded of what the great Senator, Robert La Follette, from my home State of Wisconsin, said in response to those who argued that the press of his day—the early 1900s—was somehow spreading hysteria about the power of the railroads over Congress. La Follette said:

It does not lie in the power of any or all of the magazines of the country or of the press, great as it is, to destroy, without justification, the confidence of the people in the American Congress. . . . It rests solely with the United States Senate to fix and maintain its own reputation for fidelity to public trust. It will be judged by the record. It can not repose in security upon its exalted position and the glorious heritage of its traditions. It is worse than folly to feel, or to profess to feel, indifferent with respect to public judgment. If public confidence is wanting in Congress, it is not of hasty growth, it is not the product of ''jaundiced journalism.'' It is the result of years of disappointment and defeat.

Years of disappointment and defeat—that is what the American people have had as the soft money system has grown and Congress has done nothing about it. The system of soft money looks corrupt. Indeed, it is corrupt. And it makes us, as its beneficiaries, look corrupt.

There is no other way to put it. There is an appearance of corruption. There is an appearance of cravenness. There is an appearance of a smug confidence that the American people will not laugh out loud in disgust at the assertion that there is no corruption near. There is an appearance of something terribly, terribly wrong that we refuse to fix.

If that offends people in this Chamber, so be it. We had better get rid of this system so they won't be offended anymore because I am not going to stop talking about it until we do.

Madam President, how much time do I have remaining?

The PRESIDING OFFICER. The Senator has 6 minutes 19 seconds.

Mr. FEINGOLD. Madam President, the Senator from North Carolina asked if I will yield.

Mr. EDWARDS. Will the Senator yield for a question?

Mr. FEINGOLD. I yield.

Mr. EDWARDS. I know the Senator has spent a great deal of time moving across his home State of Wisconsin. How many counties are in Wisconsin?

Mr. FEINGOLD. Seventy-two counties.

Mr. EDWARDS. Seventy-two counties, and the Senator has been in every one.

Mr. FEINGOLD. I go to listening sessions in every one every year.

Mr. EDWARDS. I wonder what the Senator would think what someone in rural Wisconsin, a farmer in rural Wisconsin, would believe in terms of their influence, vis-a-vis someone who gave $100,000 in soft money to, in our case as fellow Democrats to the Democratic Party, or to the DNCC, whether that rural farmer in Wisconsin would believe that they have the same voice in the Senate that a $100,000 soft money contributor has.

Mr. FEINGOLD. I thank the Senator from North Carolina for his question.

The example of the farmer is a wonderful example, because of what has happened in Wisconsin in the last 18 years. We have lost something like 18,000 dairy farmers, so farmers in my State are in no position to be giving even $10 or $25 contributions.

When they hear, as the Senator is suggesting, that a person can give even $1,000, the possibility of doing that is pretty much off the charts. When they hear that somebody can actually for the first time in this century give $100,000, it is absolutely disappointing. And it must make them even more despondent. They have enough problems already.

But to think they can't have their vote count for what it used to count—we always had in Wisconsin the notion that the farm vote kind of shifted the balance, it is the swing vote traditionally in Wisconsin. But in this kind of system where soft money ads can make a farce out of an election, they feel—I know from firsthand conversations—quite left out of the process and quite dispirited.

Mr. EDWARDS. How does the Senator think that farmer would feel in his gut about whether this representative democracy is working the way it ought to work in a situation where he or she has at best one vote, and that position vis-a-vis another individual who has given $100,000, when he is working on his farm on a day-to-day basis? Does the Senator think that farmer believes he has the same equal voice that he is supposed to have in his representative democracy as somebody who wrote a $100,000 check.

Mr. FEINGOLD. I don't think there is any possibility that he feels his voice is as strong as it used to be. A typical farmer in Wisconsin with a certain amount of cows and a certain amount of acreage and a family, those are things that he had. He knew he had those things, and he had his vote counting the same as everybody else's. That is where the whole progressive movement in Wisconsin and the efforts of Robert La Follette came from—a lot of these farmers who were able to put their votes together to elect people who would really represent them.

Mr. EDWARDS. If I could ask a followup question, there has been a lot of debate on the floor and a lot of private conversations about whether there is any usefulness associated with simply banning soft money.

Let me ask the question again, using the example of this dairy farmer from Wisconsin. Does the Senator think it is important for the Senate to send a message to that farmer in rural Wisconsin that we are trying to do something real and meaningful to clean up campaign finance in this country?

Mr. FEINGOLD. We absolutely have to. I don't know how we convinced ourselves in the end of the 20th century of something that was the opposite conclusion at the end of the 19th century, early 20th century; and that is that unlimited contributions corrupt the process and make the individual farmer or individual homemaker or any other person almost a nonfactor in the political process.

We have to send this message and we have to do even better. We have to actually pass a ban on soft money as a first signal to that farmer that we will do the rest of the job and actually return the notion of one person-one vote to that farmer.

Mr. EDWARDS. Will the Senator agree that even if we are not able in this Congress in this session to pass across-the-board comprehensive reform that it is critically important that we send a message to Americans all over this country that this Senate and this Congress is willing to take a strong and courageous step to do something real and meaningful in terms of cleaning up campaign finance and that one of those steps would be the banning of soft money?

Mr. FEINGOLD. There is nothing more important than passing a ban on soft money in this Congress. In a few minutes we will have the first vote, I say to the Senator from North Carolina, the first vote ever on the question of whether we are going to allow party soft money or not. This is not one of these votes that you have every once in a while, a bed check vote on a Monday night. This is the real thing.

I thank the Senator from North Carolina for distilling it down to the perspective of one farmer in Rice Lake, WI, who might be watching and saying: Are these guys going to clean this place up or not?

Mr. EDWARDS. Let me ask the Senator one last question. I agree. One last question: In the Senator's mind, is this a party issue? Is this a Democratic or Republican issue?

Mr. FEINGOLD. Clearly not. In fact, the only thing that can defeat us on this is partisanship. That is why I worked for 5 years, not only with Senator MCCAIN but I have gotten to know a number of my colleagues on the other side of the aisle—people such as Senator THOMPSON of Tennessee and Senator COLLINS of Maine. These are Republicans who I have grown to know and enjoy working with who together have worked to try to do something to ban soft money. So this is an example of how this institution can work well in terms of our cooperation and bipartisanship.

Let's make sure that partisanship doesn't defeat our efforts.

Mr. EDWARDS. I thank the Senator from Wisconsin and Senator MCCAIN for their courageous leadership on this critical issue.

Mr. FEINGOLD. I certainly thank the Senator from North Carolina who in the few months he has been here has become a strong voice in the campaign finance reform debate.

I yield the floor.

Mr. MCCONNELL. Madam President, parliamentary inquiry. Is the Senator from Kentucky correct that the Wellstone amendment and any other amendments that might be offered this evening would fall because they were not filed by 1 p.m., if we ultimately get cloture?

The PRESIDING OFFICER. The cloture occurs tomorrow. Amendments not filed by 1 p.m. today would be out of order if they are first-degree amendments

If cloture is invoked tomorrow, amendments not filed by 1 o'clock today would not be in order.

Mr. MCCONNELL. Since Friday, the open and fair process which was sought and agreed to has been derailed by parliamentary maneuvering.

Let me say to all of my colleagues, particularly those on my side of the aisle who share the view of the majority leadership and myself on this issue, this motion to table is a meaningless vote and should reflect that fact. Consequently, I urge all of my colleagues to vote against tabling on behalf of the majority leader, Senator BENNETT, and myself.

I yield the floor.

Mr. REID. With the remaining minute, I say to my friend from Wisconsin who is still on the floor, I appreciate very much the Senator's attempt to make this a bipartisan issue. The fact is, Democrats have voted time, after time, after time to invoke cloture on campaign finance reform, and we have been thwarted by the majority; is that not true?

Mr. FEINGOLD. I say to the Senator from Nevada, we have not been thwarted by the majority, only thwarted by that portion of the majority which is actually a minority seeking to filibuster this issue and defy the will of the majority of the people, which, of course, involves more Democrats than Republicans.

Mr. REID. By a considerable number, is that not true?

Mr. FEINGOLD. That is true.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative assistant proceeded to call the roll.

Mr. FEINGOLD. I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

The PRESIDING OFFICER. The question is on agreeing to the motion to table the Reid amendment numbered 2299 to the Daschle amendment numbered 2298. The yeas and nays have been ordered. The clerk will call the roll.

The legislative assistant called the roll.

Mr. NICKLES. I announce that the Senator from Delaware (Mr. ROTH), and the Senator from Oregon (Mr. SMITH) are necessarily absent.

Mr. REID. I announce that the Senator from Delaware (Mr. BIDEN), the Senator from New Mexico (Mr. BINGAMAN), the Senator from Wisconsin (Mr. KOHL), and the Senator from New Jersey (Mr. LAUTENBERG) are necessarily absent on official business. I also announce that the Senator from Connecticut (Mr. DODD) is absent because of family illness.

The result was announced—yeas 1, nays 92, as follows:

[Rollcall Vote No. 329 Leg.]

YEAS—1

Hollings

NAYS—92

Abraham	Feingold	Mack
Akaka	Feinstein	McCain
Allard	Fitzgerald	McConnell
Ashcroft	Frist	Mikulski
Baucus	Gorton	Moynihan
Bayh	Graham	Murkowski
Bennett	Gramm	Murray
Bond	Grams	Nickles
Boxer	Grassley	Reed
Breaux	Gregg	Reid
Brownback	Hagel	Robb
Bryan	Harkin	Roberts
Bunning	Hatch	Rockefeller
Burns	Helms	Santorum
Byrd	Hutchinson	Sarbanes
Campbell	Hutchison	Schumer
Chafee	Inhofe	Sessions
Cleland	Inouye	Shelby
Cochran	Jeffords	Smith (NH)
Collins	Johnson	Snowe
Conrad	Kennedy	Specter
Coverdell	Kerrey	Stevens
Craig	Kerry	Thomas
Crapo	Kyl	Thompson
Daschle	Landrieu	Thurmond
DeWine	Leahy	Torricelli
Domenici	Levin	Voinovich
Dorgan	Lieberman	Warner
Durbin	Lincoln	Wellstone
Edwards	Lott	Wyden
Enzi	Lugar	

NOT VOTING—7

Biden	Kohl	Smith (OR)
Bingaman	Lautenberg	
Dodd	Roth	

The motion was rejected.

Mr. LOTT. Mr. President, I move to reconsider the vote and move to lay that motion on the table.

The motion to lay on the table was agreed to.

Mr. LOTT. Mr. President, I ask unanimous consent that the Senate now proceed to a period of morning business with Senators permitted to speak for up to 10 minutes each.

Mr. MCCAIN. I object.

The PRESIDING OFFICER (Mr. FITZGERALD). Objection is heard.

Mr. LOTT. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative assistant proceeded to call the roll.

Mr. SCHUMER. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

Mr. MCCONNELL. I object.

The PRESIDING OFFICER. Objection is heard.

The legislative clerk continued with the call of the roll.

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

PRIVILEGE OF THE FLOOR

Mr. MCCONNELL. Mr. President, I ask unanimous consent that Ben Lawsky, a Judiciary Committee detailee in Senator SCHUMER's office, be granted floor privileges for the remainder of the 106th Congress.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. MCCONNELL. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. GORTON. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mr. BENNETT). Without objection, it is so ordered.

FINDING ''COMMON GROUND'' TO PROTECT OUR UNDERGROUND INFRASTRUCTURE

Mr. LOTT. Mr. President, in January of this year I reported on an important public-private partnership to protect our nation's underground infrastructure—electric power and fiber optic cables, telephone lines, water and sewer mains and pipelines. This partnership is based on S. 1115, the Comprehensive One-Call Notification Act, which I introduced in 1997 with the Minority Leader, Senator DASCHLE. The bill passed the Senate unanimously and became law as part of the Transportation Equity Act for the 21st Century, TEA 21.

Among other things, the bill called on the Secretary of Transportation to convene a comprehensive study of best practices in underground damage prevention. This study was completed and released by Secretary Rodney Slater on June 30, 1999. The study has been a model for conducting a cooperative effort between the public and private sectors. All those with an interest in underground damage prevention—the excavation community, one-call notification center representatives, locating contractors, railroads and underground facility operators worked together to produce the 250-page ''Common Ground'' report. This report is a veritable gold mine of practical real-world advice for all those involved in protecting our underground infrastructure in government and in the private sector.

The study is so valuable because of the 160 people with hands-on experience in underground damage prevention who worked together to write it. Nine teams covered the key aspects of underground infrastructure protection: one-call center practices, excavation, mapping, locating and marketing, compliance, planning and design, reporting and evaluation, public education, and emerging technologies. The full study is available at the DOT's Office of Pipeline Safety web page http://ops.dot.gov.

Steps are underway to keep this valuable and cooperative spirit alive and make the Common Ground process a continuing one, but this time with private leadership. This year's Senate Appropriations Committee Report on

Transportation Appropriations (S. Rept. 106–55) including the following:

The Committee believes that the group effort, dubbed ''Common Ground'', has the potential to serve as a basis for a self-sustaining entity that can advance underground damage prevention by identifying and encouraging best practices, providing badly needed public education, and collecting and disseminating information on damage to underground facilities. The Committee directs OPS to use existing resources to support the formation and initial operation of a non-profit organization that will further the work of ''Common Ground'' and implement other innovative approaches to advance underground damage prevention.

On October 28, the Office of Pipeline Safety will respond to this direction by convening a public meeting of the Common Ground participants and an even wider group of interests to lay the foundation for the non-profit organization described in this Report language. This non-profit damage prevention organization could be the key to a far more robust and effective national effort to protect our underground infrastructure that would be led and funded by the private sector.

To Secretary Slater's credit, the Department understands the importance of letting the private participants take the lead. The Department of Transportation will provide the initial resources for startup, but will then step back, so the private participants can be responsible for defining the path forward for underground damage prevention. In order to succeed, the new non-profit organization cannot be federally run or federally controlled. To succeed it cannot be run or controlled by any one of the interests in underground damage prevention. It must be a cooperative, power sharing enterprise in which excavation community, one-call notification center representatives, locating contractors, railroads, underground facility operators and other important interests join together to make decisions democratically.

The potential for such an organization to get things done is simply enormous, because it can include all the important affected interests from the beginning. The private effort and resources devoted to underground damage prevention today are very significant, but fragmented. This non-profit damage prevention organization is the missing piece that can pull these efforts together in a constructive way to create a powerful national impact on the largest preventable threat to our underground infrastructure. I urge all those in attendance at the October 28 meeting to keep this big picture vision firmly in mind. This is a tremendous opportunity that should not be missed.

Mr. President, I congratulate Secretary of Transportation Rodney Slater for seizing the opportunity offered by the Common Ground initiative. It seems to me that Secretary Slater, Research and Special Programs Administrator Kelley Coyner and Office of Pipeline Safety head Richard Felder all have this exactly right. This effort will be most effective if it is privately led and privately funded. This is an instance, all too rare, where the Federal Government is seeking to return power to the private sector. I urge all the Common Ground private participants—the excavation community, one-call notification center representatives, locating contractors, railroads, insurance providers, equipment manufacturers and underground facility operators to take up the leadership responsibility the Secretary is offering.

I will continue to monitor developments in underground damage prevention and the efforts to set up the non-profit privately led organization envisioned in the Senate Appropriations Committee Report. I look forward to working with all involved to further improve protection of our vital underground infrastructure.

PATIENTS' BILL OF RIGHTS

Mr. KENNEDY. Mr. President, as we reach the end of this session of Congress, it's essential that we act on the Patients' Bill of Rights before we adjourn. In passing the Norwood-Dingell bill two weeks ago, a solid, bipartisan majority of the House of Representatives voted for strong protections for patients against abuses by HMOs. Despite an extraordinary lobbying and disinformation campaign by the health insurance industry, the House approved the bill by a majority of 275–151. Sixty-eight Republicans as well as almost every Democrat in the House stood up for patients and stood firm against industry pressure.

Last Friday, the Senate appointed its conferees. Speaker HASTERT has said that the House will appoint its conferees this week. Prompt action on strong reforms is clearly within our grasp. But a series of recent statements and actions provide ominous signs that the insurance industry and its friends in the Republican leadership are at it again. Their emerging strategy seems once again to be to delay and deny the relief that American families need and that the House overwhelmingly approved.

The House vote was a major milestone toward enacting needed reform. It came after the Senate passed legislation with only sham protections by a narrow, partisan majority.

It came after years of delay and denial by the Republican leadership in both Houses of Congress, working hand-in-hand with the health insurance companies and HMOs to block reform.

Patients and doctors won a clear victory in the House. But now, the insurance industry and their allies in the House and the Senate Republican leadership are once again mobilizing to deny patients and doctors the protections they deserve. The ink is barely dry on the dramatic House vote, and opponents of reform are already talking about a new strategy of delay and denial—a strategy once again to put HMO profits first and patient protections last.

The first part of this emerging strategy is to delay the work of the House-Senate conference committee as long as possible. A precondition for appointing conferees and beginning the conference is formal transmission of the House-passed bill to the Senate. That process normally takes a day or two at most.

In fact, of 252 bills passed by the House in this Congress, the overwhelmingly majority were delivered to the Senate the day they were passed or the day after they were passed. Except for a few bills passed just before the beginning of a long recess, every bill passed by the House had been received by the Senate by the sixth day after passage. Yet, on the seventh day after the passage of the Norwood-Dingell bill, the legislation was still being held in the House of Representatives.

Only after the release of a CRS study documenting the extraordinary delay in transmission of the legislation was the bill forwarded to the Senate and Senate conferees appointed.

According to the Los Angeles Times, Senator LOTT's response to passage of the House bill was that ''House-Senate conferences on other legislation have a higher priority and that resolving differences on this bill would take some time.''' According to the Baltimore Sun, Senator LOTT also indicated that Congress might not have time to work out the differences and approve a final bill before it adjourns for the year. According to the New York Times, aides to Senator NICKLES said that ''the conference committee will probably not begin serious work until early next year.'' And just this past Friday, CongressDaily reported that ''a Senate GOP aide said . . . Republicans do not plan to start the conference before the end of this year's session, despite the appointment of conferees.''

Some Republicans are already beginning to lay the groundwork for a failed conference. Comparing the Senate and House bills, Congressman BILL THOMAS said, ''You don't see many cross-breeds between Chihuahuas and Great Danes walking around.''

And, of course, the fingerprints of Republican-industry collaboration are there to see for anyone who cares to look. As Bruce Josten of the U.S. Chamber of Commerce put it, ''To see nothing come out of the conference is my hope. The best outcome is no outcome.''

Even if the strategy of delay and denial fails, the Republican leadership once again has an alternative to try to weaken the House bill as much as possible.

As the Baltimore Sun reported, ''House Majority Whip TOM DELAY suggested that the Republican-dominated House conference would not fight vigorously for the House-approved measure in the Conference Committee.'' Mr. DELAY said, ''Remember who controls the conference: the Speaker of the House.''

A conference that produces legislation that looks like the Senate Republican bill would break faith with the American people, make a mockery of the overwhelming vote in the House of Representatives, and cause unnecessary suffering for millions of patients.

That is why more than 300 groups representing patients, doctors, nurses, and other caregivers, and families support the Norwood-Dingell bill, but only the insurance industry supports the Senate proposal.

For every patient right in the Senate Republican bill, there is an industry loophole. If the truth in labeling law applied to legislation, every page of the bill would flunk the test, because every promise of patient protection comes with loopholes to protect HMOs and health insurers. The promise to patients is always broken.

At its most basic level, the decision before Congress is whether critical medical decisions will be made by doctors and patients, or HMO accountants.

It is time to protect families against abuses by a faceless insurance bureaucracy that can rob average citizens of their savings and their peace of mind, and often their health and their very lives.

For the millions of Americans who rely on health insurance to protect them and their loved ones when serious illness strikes, the Norwood-Dingell bill is a matter of life and death, and deserves to be passed by Congress.

Every day we delay in passing these reforms means that more patients will suffer and die. Congress has an obligation to act and to act now.

The abuses that take place every day should have no place in American medicine. Every doctor knows it. Every nurse knows it. Every patient knows it. The American people know it—and it is time the Republican leadership heeded their views.

The first test of the sincerity of the Republican leadership will come this week when the House conferees are appointed. Will a majority of the House conferees come from those who supported the Norwood-Dingell bill, not just on final passage, but on the critical vote to replace it with the leadership-backed alternative?

The second test will come in the conference itself. The danger is that the process will go into slow motion so that nothing happens until Congress adjourns for this session. There is ample time for genuine bipartisan negotiations to produce a strong, bipartisan bill that Congress can pass and the President can sign before the session ends.

The issues are well-known. There is no need for the conference to be time-consuming—no need unless the objective is to pass a watered down bill, or nothing at all. The Norwood-Dingell bill received overwhelming bipartisan support in the House of Representatives. The Senate conferees should do the right thing and simply accept that bill.

The choice is clear. Prompt action to protect patients and their families—or more delay and denial. Those who profit from the status quo have delayed action long enough. It is time for Congress to provide every family the protection they deserve.

Mr. President, Friday, we had the appointment of the conferees to represent the Senate with the House of Representatives on the HMO bill, the Patients' Bill of Rights legislation.

We want to let the Senate know we are prepared to meet today, tomorrow, the next day, and every single day to try to get a resolution of that issue because we know that every single day we do not act and have strong legislation, like the House of Representatives, American families are endangered and Americans are being hurt. That is wrong. We have the chance to act. On our side of the aisle, we are prepared to take action. We are prepared to meet. We believe this is one of the most important efforts we will have in this Congress.

We will continue to challenge our colleagues on the other side to move ahead and have a conference. We have debated these issues. We have had a long time to debate them. We have had extensive debates in committee and for over a week on the floor of the Senate.

Let's get about protecting the American citizens on that Patients' Bill of Rights—letting doctors make decisions rather than accountants. Every day, as I mentioned, that we fail to do so, we fail to protect American families. We want to go about America's business and families' business on health care. We are prepared to meet in conference now and every day in the future.

I thank the Chair.

ON THE 1999–2000 AMERICA'S CUP

Mr. CHAFEE. Mr. President, today I call to the attention of my colleagues the battle for the America's Cup, which begins this week in the Hauraki Gulf off Aukland, New Zealand. Five American and six international challengers are competing for the right to face Team New Zealand in races beginning next February.

This competition, which promises to be a long, hard-fought affair, gives me an opportunity to share with my fellow Senators some thoughts on Rhode Island's celebrated history in yachting. It began in London in 1851, when the America's Cup was designed and crafted as a trophy for a race around the Isle of Wight. The cup was named after the yacht *America* which first won the trophy by beating the British yachts at Cowes. Yacht racing had only recently begun in North America at the time; John Cox Stevens had founded the New York Yacht Club in 1844 and in 1851 was still its first Commodore.

But yacht racing was not so new in Britain, where forms of yachting had been a sport for about 250 years. In the mid-1850's, Britannia ruled the waves in all respects, and it would never have occurred to them that an American outfit could challenge their yachting dominance.

In 1857, John Stevens decided that the cup would be better in the hands of the New York Yacht Club for safekeeping and for organizing challenges. The cup, which graced the halls of the New York Yacht Club, became known as the America's Cup and this has continued for 145 years. Until 1983, the New York Yacht Club successfully defended the cup in races off Newport, Rhode Island, a venue which deservedly has come to be considered one of the sailing capitals of the world.

During these years, a great many Rhode Islanders stood out and earned outstanding reputations in this sport. Most notably, Nathanael Greene Herreshoff, ''The Wizard of Bristol,'' joined his visually impaired brother in the manufacture of boats and went on to design six successful America's Cup defenders—*Vigilant* (in 1893), *Defender* (1895), *Columbia* (1899 and 1901), *Reliance* (1903) and *Resolute* (1920). In addition, the celebrated sailmaker and designer Ted Hood had more to do with the development of the America's Cup from the 1950's to the 1970's than any other person. Hood also won the Cup, helming *Courageous* in 1974.

Today, Hood's shipyard and many others in Rhode Island continue this proud tradition in the sailing world and have made the state's boatbuilding industry second to none. The east shore of Narragansett Bay has 13 boatyards representing some of yachting's most famous labels. In the words of one expert, ''people across the world think of quality boats when they think of Rhode Island.'' Combined with tourism from recreational boating, the state's marine industry generates about $1.2 billion annually and employees about 6,000 workers. Rhode Island yards built boats for three America's Cup syndicates in 1995 and two more this year.

One of the American challengers is of particular interest to me and to my constituents in Rhode Island. Young America, a two-boat syndicate put forward by the New York Yacht Club, is one of the strongest challengers in these races. The club has stated its intent to bring America's Cup back to Newport, Rhode Island if—or should I say ''when''—it dethrones Team New Zealand next March. Many, many Rhode Islanders eagerly look forward to the return of this great tradition to Newport, where it had such an outstanding record of success for one hundred and thirty-two years.

Young America's president, John Marshall, has been long involved with world-class sailing. Marshall won a bronze medal at the 1972 Olympics, and has been involved with eight America's Cups since 1974. Marshall is a former president of and serves on the Board of Directors for North Sails, the largest sailmaker in the United States.

Young America is skippered by Ed Baid, who played a key role in winning the 1995 America's Cup as coach, trial

horse skipper and sparring partner for Team New Zealand. Baird was the 1995 World Champion of Match Race Sailing and placed second at the Worlds in 1997, 1996 and 1993. He is the only American to ever reach No. 1 in the World. The 1995 Rolex U.S. Yachtsman of the Year, Baird is a multiple world champion.

Let me also pay tribute to the several Rhode Islanders that have been named to the Young America team. They include Newport sailors Ed Adams, Tom Burnham, Jamie Gale, Jerry Kirby, Tony Rey and Joan Touchette. The shore support and technical team includes Stewart Wiley of Portsmouth; Ken Bordin, Steve Connett, Matthew Gurl and Bernie Roeder of Newport; Wolfgang Chamberlain of Bristol; and Michael Spiller of Jamestown.

Young America's two boats were built by Bristol, Rhode Island's Eric Goetz shipyard, recognized as one of the world's foremost manufacturers of racing sailboats. I had the pleasure of visiting and touring the Goetz shipyard last April, and was greatly impressed with what I saw.

Goetz has built seven America's Cup contenders for the last two series of America's Cup races—including boats commissioned by competing U.S. racing teams. This year's boats, which cost about $3 million each, are the product of a first-rate team of technicians and employ the most modern design and technology. Included is a keel developed by one of Rhode Island's most storied companies, Browne & Sharpe Manufacturing. The competitors in New Zealand are no doubt fixated on the technological advancements being introduced by Young America.

Three sets of round robin races begin this week and end on December 14. The challenger semifinals and finals take place next January 2 through February 4 to determine which syndicate will face the defending New Zealanders. The Finals of this grueling competition do not end until March 4.

So I hope all Senators can take a moment today to recognize the commencement of one of the world's most prestigious sporting traditions, the America's Cup. I wish good luck to all eleven competitors, but particularly to the Young America syndicate. For many of my state's enthusiasts, it has been a long sixteen years waiting for this moment.

HATE CRIMES

Mr. KENNEDY. Mr. President, violent acts of bigotry based on race, religion, ethnic background, sexual orientation, gender, and disability continue to plague the nation. These vicious crimes are a national disgrace and an attack on everything this country stands for, and it is essential for Congress to act against them.

Earlier this year, the Senate added important provisions to combat hate crimes to the Commerce-Justice-State Appropriations Act. This afternoon, Senate-House conferees will meet to vote on a conference report that does not contain the hate crimes provision. Behind closed doors, the conferees have tentatively decided to drop the provision, and I urge them to reconsider. It is essential for Congress to take a stand against bigotry, and do all we can to end these modern-day lynchings that continue to occur in communities across the country.

Many of us are aware of the most highly-publicized incidents, especially the brutal murders of James Byrd in Jasper, Texas, and Matthew Shepard in Laramie, Wyoming. But these two killings are just the tip of the iceberg. Many other gruesome acts of hatred have occurred this year:

January 14, 1999, El Dorado, California—Thomas Gary, 38, died after being run over by a truck and shot with a shotgun. The assailant claimed that Mr. Gary had made a pass at him.

January 17, 1999, Texas City, Texas—Two black gay men, Laaron Morris and Kevin Tryals, were shot to death and one of the men was left inside a burning car.

February 7, 1999, Miami, Florida—Three young women stalked, beat and stabbed a gay man while yelling anti-gay epithets.

February 19, 1999, Sylacauga, Alabama—Billy Jack Gaither, a gay man, was abducted, beaten to death with an ax handle, and set on fire on burning tires in a remote area.

February 24, 1999, Ft. Lauderdale, Fla.—A black woman, Jody-Gaye Bailey, died after being shot in the head by a self-proclaimed skinhead. Minutes before the shooting the perpetrator reportedly boasted of wanting to go out and kill a black person. Bailey and her boyfriend, who is Caucasian, were stopped at a red light when the killer fired at Bailey seven times. The boyfriend was uninjured.

February 1999, Yosemite National Park, California—An individual charged with the murder of four women—one of whom was a 16-year old girl—in Yosemite National Park told police investigators that he had fantasized about killing women for three decades.

March 1, 1999, Richmond, Virginia—A gay, homeless man was killed and his severed head was left atop a footbridge in James River Park near a popular meeting place for gay men.

May 1999, Kenosha, Wisconsin—A 27-year-old man intentionally swerved his car onto a sidewalk to run over two African-American teens. After hitting the two cyclists, he left the scene and kept driving until stopped by police. Eight years earlier the same man rammed his car twice into a stopped van carrying five African-American men and drove away.

June 2, 1999, West Palm Beach, Florida—Two teenagers admitted that they beat a gay man, Steven Goedereis, to death on April 27, 1998 because he called one of them ''beautiful.''

June/July 1, 1999, Northern California—Three synagogues in the Sacramento area were destroyed by arson. Two brothers, who have links to an organized hate group, are suspects in the arson as well as the shotgun murders of two gay men in Redding, Calif., Winfield Scott Mowder and Gary Matson.

July 4th weekend, 1999, Illinois/Indiana—An indiviudal associated with a racist and anti-Semitic organization, Benjamin Smith, killed an African-American man, Ricky Byrdsong, and wounded six orthodox Jews in Chicago before killing a Korean student, Won-Joon Yoon, in Bloomington, Ind.

July 24, 1999, San Diego, California—Hundreds of people were tear-gassed when a military style tear-gas canister was released near the Family Matters group at the San Diego gay pride parade. The 70-person group included small children and babies in strollers.

August 10, 1999, Los Angeles, California—A former security guard for a white supremacist organization, Buford O. Furrow, wounded five individuals, including young children, at a Los Angeles Jewish community center, and later killed a Filipino-American postal worker, Joseph Illeto.

Clearly, the federal government should be doing more to halt these vicious crimes that shock the conscience of the nation.

Dropping the bipartisan Senate provisions from the DJS conference report is a serious mistake. For too long, the federal government has been forced to fight hate crimes with one hand tied behind its back. Congress must speak with a united voice against hate-based violence. All Americans deserve to know that the full force of federal law will be available to punish these atrocities.

Congress has a responsibility to act this year. The continuing silence of Congress on this festering issue is deafening, and it is unacceptable. We must stop acting as if somehow this fundamental issue is just a state and local problem. It isn't. It's a national problem, and it's an outrage that Congress has been missing in action for so long. I urge the conferees to reconsider their action, and include a strong provision on hate crimes in the conference report.

Mr. President, I make these remarks because the timeliness of them is so important. I see my friend and colleague from Oregon, who shares these concerns. Again, we wanted to address this issue, which will be before the conference committee on the State-Justice appropriations this afternoon. We will be faced with this issue in a conference report in these next 2, 3 days. It is regarding the inclusion or exclusion of the hate crimes legislation.

We passed hate crimes legislation as part of the State-Justice-Commerce appropriations. It is in conference at a time when this country has been faced with a series of acts that have been violent on the basis of bigotry—based on race, religion, ethnic background,

sexual orientation, gender, and disability. These challenges continue to plague the Nation. These vicious crimes are a national disgrace and an attack on everything for which this country stands. It is essential for Congress to act against them.

Just in the very recent times, we have seen the brutal murders of James Byrd in Jasper, TX, and Matthew Shepherd in Wyoming. These two killings are the tip of the iceberg. Many other gruesome acts of hatred have occurred this year.

On January 14, Thomas Gary died after being run over by a truck and shot with a shotgun. The assailant claimed that Mr. Gary had made a pass at him.

On January 17, 1999, Texas City, TX, two black gay men, Laaron Morris and Kevin Tryals, were shot to death, and one of the men was left inside a burning car.

On February 7, 1999, three young women, stalked, beat, and stabbed a gay man while yelling antigay epithets.

On February 24, in Fort Lauderdale, a black woman, Jody-Gaye Bailey, died after being shot in the head by a self-proclaimed skinhead. Minutes before the shooting, the perpetrator reportedly boasted of wanting to go out and kill a black person.

In February 1999, Yosemite National Park, California, an individual charged with the murder of four women—one of whom was a 16-year-old girl—in Yosemite National Park, told police investigators that he had fantasized about killing women for three decades.

The list goes on and on, and that is happening in communities all across the country. This legislation has been taken into consideration. A number of the points have been raised by Members over the last 3, 4 years. The statistics are very clear. This kind of problem is escalating, not decreasing. All we are asking is, in the very selected cases that would qualify under this legislation, that we not deny the Federal Government from participating with the State and local prosecutors in order to be able to solve these problems. These crimes are not just crimes against individuals, they are rooted in bigotry and hatred so deep that they have an important and dramatic and horrific affect upon a community.

We will see the opportunity, hopefully, for that Commerce Committee conference this afternoon to vote on these issues. We should at least have a vote on these matters and, hopefully, the Commerce Committee will not disappoint America's march toward justice.

Mr. WYDEN. Will the Senator yield for a question?

Mr. KENNEDY. Yes, I am happy to.

Mr. WYDEN. Mr. President, I think the distinguished Senator has made a very eloquent statement on this matter of hate crimes. As we have seen so often on these issues of justice for gay folks, and when we are talking about issues relating to race, the issue always is brought out that in some way we are advocating ''special rights,'' or ''preferences,'' or something of this nature. I think what the Senator from Massachusetts is asking for—and perhaps he can speak to this—is simply to make it clear the U.S. Congress is going to draw a line in the sand against violence borne out of bigotry and prejudice.

We are not talking about special rights. We are not talking about preferences for one group because of their sexual orientation or race; we are talking about Americans' right to be free from violence borne out of prejudice and hatred. Is that what the Senator from Massachusetts is talking about?

Mr. KENNEDY. The Senator has stated it well and accurately. These kinds of crimes, as I mentioned very briefly, rip at the heart and soul of all Americans. No one could read about these extraordinary acts of violence directed toward specified groups, such as those that took place in Yosemite, where that individual had in his mind one purpose and one purpose only, and that was to kill women. That was it. It wasn't against someone with whom he had a difference. That is the kind of vicious intent we have seen. We have seen that regarding race, religion, and sexual orientation.

All we are saying is, in the prosecution of those crimes, we are not going to fight it with one hand behind our backs. We are not going to deny it in the very selective numbers that will be in—I think you are looking at each group, and there are something like maybe 20, 30 cases a year—probably even less—in the testimony of those who represent the Justice Department in any of these areas. But they are so vicious and so horrific that we are going to say we are not going to permit that to take place in this country.

We have the opportunity to make a positive commitment in that area in our conference before we leave this year, and we don't want to lose that opportunity. The Senator from Oregon has been a leader on this issue, and our friend and colleague from New York, Senator SCHUMER, and Senator SPECTER have been strong leaders. This has been a bipartisan effort for a long period of time. We don't want to deny the chance of having success.

Mr. WYDEN. Will the Senator yield for one last point?

Mr. KENNEDY. Yes, I am happy to.

Mr. WYDEN. Mr. President, I think what the Senator from Massachusetts said is very important for our colleagues to focus on as we go to this conference, which I think will be starting in a few minutes.

My understanding is that the bipartisan proposal of the Senator from Massachusetts and Senator SPECTER does not, in any way, preempt State and local authority in this area. My understanding is that it is only if and when State and local authorities don't act against these morally repugnant crimes that the Senator from Massachusetts has described—that only then would the Federal Government come in. I will say, from my standpoint, what the Senator from Massachusetts is talking about certainly meets my definition of what ought to constitute compassionate conservatism.

I am very pleased that my colleague from Oregon, Senator SMITH, has joined with Senator SPECTER and others on the other side of the aisle. I so appreciate the leadership of the Senator from Massachusetts. I want him to know that I plan to stand shoulder to shoulder with him until we get this law passed. This is unacceptable. It is grotesque that this Congress would not take up this issue, and we cannot allow this issue to be ducked any further.

I thank my friend for yielding.

Mr. LEAHY. Mr. President, one of the most significant amendments that the Senate adopted as part of the Commerce-Justice-State appropriations bill is the Hate Crimes Prevention Act. This legislation amends the federal hate crimes statute to make it easier for federal law enforcement officials to investigate and prosecute cases of racial and religious violence. It also focuses the attention and resources of the Federal Government on the problem of hate crimes committed against people because of their sexual orientation, gender, or disability. I commend Senator KENNEDY for his leadership on this bill, and I am proud to have been an original cosponsor.

It is time to pass this important legislation. It has been over a year since the fatal beating of Matthew Shepard in Laramie, Wyoming, and the dragging death of James Byrd in Jaspar, Texas—brutal attacks that stunned the Nation.

Since those incidents, we have seen other acts of violence motivated by hate and bigotry, including the horrific incident two months ago in Los Angeles, when a gunman burst into a Jewish community center and opened fire on a room full of young children. When the gunman surrendered, he said that his rampage had been motivated by his hatred of Jews. The month before, a murderous string of drive-by shootings in Illinois and Indiana left two people dead and nine wounded. Again, the motivation was racial and religious hate.

These are sensational crimes, the ones that focus public attention. But there also is a toll we are paying each year in other hate crimes that find less notoriety, but with no less suffering for the victims and their families.

All Americans have the right to live, travel and gather where they choose. In the past we have responded as a nation to deter and to punish violent denials of civil rights. We have enacted federal laws to protect the civil rights of all of our citizens for more than 100 years. The Hate Crimes Prevention Act continues that great and honorable tradition.

When the Senate passed the Commerce-State-Justice appropriations bill

last month, there seemed to be general agreement about the need to strengthen our national hate crimes laws. Both the Hate Crimes Prevention Act and a more limited hate crimes bill sponsored by Senator HATCH were included in the managers' amendment by unanimous consent. These bills complement and do not conflict with each other, and Senator KENNEDY and I have been working hard to address Senator HATCH's concerns about our legislation.

I had hoped that a consensus provision would be worked out in time for us to report as part of this appropriations bill, and I am disappointed that we have been unable to meet this deadline.

Five months ago, Matthew Shepard's mother testified before the Senate Judiciary Committee and called upon Congress to pass the Hate Crimes Prevention Act without delay. Let me echo her eloquent words:

> Today, we have it within our power to send a very different message than the one received by the people who killed my son. It is time to stop living in denial and to address a real problem that is destroying families like mine, James Byrd Jr.'s, Billy Jack Gaither's and many others across America. . . . We need to decide what kind of nation we want to be. One that treats all people with dignity and respect, or one that allows some people and their family members to be marginalized.

There are still a few weeks left in this session; we should pass the Hate Crimes Prevention Act this year.

FAIR TRADE LAW ENFORCEMENT ACT OF 1999

Mr. ROCKEFELLER. Mr. President, I join my colleagues, Senators DURBIN, HATCH, SANTORUM, BYRD and HOLLINGS in introducing the Fair Trade Law Enforcement Act of 1999. Unfortunately, because of the long and important debate on campaign finance reform last Friday, I was unable to make a statement with the rest of my colleagues when the bill was introduced. However, I stand today to praise this legislation which will take significant steps to update and enhance critical U.S. trade laws. It has been far too long, well over a decade in fact, since the last general reform of our trade laws, and current circumstances—including global recessions, economic turmoil and our surging trade deficit—necessitate the prompt action of Congress.

The trade laws in question, particularly the safeguard, countervailing duty and anti-dumping laws, are vital to the manufacturing sector of our economy. They are often the first and last line of defense for U.S. industries injured by unfairly or illegally traded imports. Companies, workers, families and communities rely heavily on these laws to prevent the ill-effects of unfair trading by our trading partners. Unfortunately, recent events like the steel import crisis have demonstrated how painfully inadequate our current trade laws are in responding to rapid import surges. The flooding of U.S. markets with unfairly or illegally traded goods causes severe and often irreparable harm to our workers and domestic injury, and it is high time we revisit our trade laws in an effort to make our laws more responsive to the changing landscape of the global economy and international trade.

The reforms we are proposing today fall into three categories. The first are improvements to our safeguard laws. Current U.S. safeguard standards are often more strict than the corresponding standards in the WTO Safeguards Agreement. This means U.S. manufacturers are playing at a disadvantage to their foreign trading partners. Whereas a foreign trading partner must prove only that an import surge, like the steel import crisis we have seen since July of 1997, is a cause of injury, domestic producers are hindered by U.S. trade laws which require our domestic industry to prove that the imports are a substantial cause of injury. This inequity hampers the ability of our domestic industry to receive relief from unfairly traded imports, and creates an unequal playing field on which our foreign trading partners have an advantage. It also contributes to making the U.S. the dumping ground for illegal and unfairly traded imports. Our trading partners know the U.S. standard is high, and they exploit that fact. This bill simply brings U.S. safeguard laws with respect to causation standards and injury factors into line with WTO laws, and puts our domestic industries on equal footing with the rest of the world.

Second, this legislation amends our anti-dumping and countervailing duty laws. It establishes a presumption of threat and of critical circumstances when imports surge and prices fall to an extraordinary degree. A critical circumstances determination, which is provided for under WTO standards, allows the ITC and the Department of Commerce to apply relief to imports entering before the preliminary determination in a trade case when investigating authorities find a history of injurious dumping or such a dramatic surge in imports that, absent retroactive relief, the effect of an anti-dumping measure would be severely undermined. One of the proposals in this legislation simply provides for the Department of Commerce and the ITC to apply these rebuttable presumptions when drastic import surges are coupled with sharp domestic price declines. Again, these presumptions are rebuttable, meaning all of our trading partners have the right to appeal the determination of threat or critical circumstances. All this provision suggests is that we give our domestic industry the benefit of the doubt regarding the injury they are suffering when huge spikes in imports are accompanied by a rapid decline in domestic prices. We saw first hand last year how effective the presumption of threat and critical circumstances can be. When the Commerce Department determined critical circumstances existed on numerous steel trade cases, the decline in imports for the following months was immediately visible. The specter of a retroactive tariff or duty is a powerful deterrent to continuing unfair and illegal trading practices.

This bill makes still other improvements in our anti-dumping and countervailing duty laws. Our legislation will make it tougher for our trading partners to circumvent an anti-dumping or countervailing duty order. No longer will foreign nations be able to skirt around our laws by making slight alterations to the products they are exporting to the U.S. We clarify that these AD/CVD orders include products that have been changed in only minor respects. The captive production clarification is an important provision to ensure fainrness as well.

Also, the Fair Trade Law Enforcement Act of 1999 prevents AD/CVD cases from being terminated by suspension agreements against the wishes of the injured U.S. industry. As we saw during the steel crisis, the Administration reached suspension agreements on trade cases that the domestic industry was confident of winning. Those cases would have provided significant relief for the injured U.S. steel industry by imposing tariffs and or duties which would have ''priced out'' many of our guilty trading partners from the U.S. steel market. Instead, foreign nations which were facing the prospect of having zero or very restricted access to the U.S. market were guaranteed a significant share of our market as a result of negotiated suspension agreements. The reforms in this bill will require the consent of a majority of the injured industry, both companies and workers, in order for the suspension agreement to be finalized. This particular piece of the bill has already been reported out of the Finance Committee, and it is critical to ensuring that any domestic industry injured by unfair or illegal imports is afforded proportional relief.

Finally, this bill also creates a steel import monitoring program designed to act as an early notification system when imports begin flooding the U.S. market. When the steel import surge began in July of 1997 it was many months, even close to a year, before anyone in the Administration would even admit that the spike in imports was occurring and that it was potentially harmful to the domestic industry. During that time businesses went bankrupt and thousands of employees were laid off. The amendment we propose in this bill will make it much easier to track imports and will provide much quicker notification of potentially harmful import surges. Quite simply, the sooner we learn of unfair import surges, the sooner the Administration, Congress and the industry itself can take the necessary steps to provide the industry, companies and workers with the relief they deserve.

This bill being introduced today provides much need adjustments to our trade laws. Too many of the provisions

currently designed to provide relief to our domestic manufacturing sector have been antiquated by recent changes in the global economy and the structure of international trade. It is time we reaffirm our commitment to our manufacturing base by updating and enhancing the very laws designed to protect U.S. manufacturers from unfair and illegal imports from abroad.

I should note to my colleagues that I remain an ardent supporter of open and fair trade. Exports have become an engine of growth for the U.S. economy. The numbers speak for themselves. Last year, Americans exported over $688 billion worth of goods and services. In saying this, I proudly can point to my own state's experience, and how it proves in a powerful way that we must pursue the opportunities of the global economy. In the past decade, West Virginia has gone about, deliberately and energetically, changing its perception of the outside world in a way that has had tremendous economic payoff. In just the past five years, our exports have increased by 40%. We have large and small companies alike exporting to China, Korea, Taiwan, and Japan. These companies exported over $2.2 billion worth of goods just last year. In percentage of products made which are exported abroad, West Virginia ranks 4th among all 50 states. Perhaps the most stunning number to me is that every billion dollars in exports supports about 17,000 U.S. jobs—that means that more than 35,000 jobs in West Virginia are directly linked to exporting.

I know that trade is critical to my state's continued economic development. West Virginia's case proves that even small economies can use expanded trade opportunities as a mechanism for further growth and prosperity. However, our increasingly globalized and ever expanding economy requires our finding new ways to adapt to change. Americans thrive in that environment and will therefore excel in this New Economy. But transitions are almost always hard. I think how a country deals with the dislocations of change says a lot about its priorities and about its ultimate success as we move into a new world and a new century.

I fully recognize that much in this bill will provoke debate. I welcome it. The Finance Committee can and must begin to consider how best to update our trade laws. I am confident that as trade becomes unquestionably one of the most powerful economic determiners in our economy, we will do so.

My efforts to deal with the real world consequences for West Virginia steel families, communities and manufacturers when they were hit with an unprecedented deluge of steel imports in late 1997 and 1998 resulted in my proposal of a steel quota bill that was considered on the Senate floor and rejected largely on the grounds that we weren't playing by the world's rules. I'm here to let my colleagues know that as the world changes, we must change with it—we must support the expanded opportunities for trade by guarding against the acquiescence to circumstances where our workers end up hurt with no recourse but to promote isolationism.

THE FY 2000 HUD/VA APPROPRIATIONS ACT

Mr. KENNEDY. Mr. President, I express my strong support for the VA/HUD Appropriations Act for FY 2000, which passed the Senate last Friday. I commend Chairman BOND and Ranking Member MIKULSKI for their skilled work on resolving the important issues involved in this legislation. We could not have achieved such an excellent measure without their leadership and commitment.

I am pleased that the legislation includes significant new funding allocations for some of HUD's most critical programs. We have promised America's citizens to stand up for their priorities, and this legislation is an important part of keeping that promise.

The bill includes an additional 60,000 Section 8 vouchers. These vouchers are critical for struggling families across the country, many of whom pay more than half their income in rent.

The bill also restores $70 million for Round II Empowerment Zones. This restoration honors our promise to the communities who have worked hard to build partnerships to revitalize their communities, based upon the promise that they would have HUD resources to leverage the funds they have raised in private-sector investments. The City of Boston and many other communities will benefit from this effort, and I am pleased that we support their initiative with these well-deserved resources.

I am also pleased that the Community Builders program is supported in the Act. The program provides a single point of contact with HUD for clients and customers, and streamlines access to HUD resources. With these improvements, HUD will be serving citizens more ably and expeditiously, and the preservation of this important program is an essential part of the legislation.

These initiatives offer hope to many distressed communities and low income families who are still left behind in this period of extraordinary economic growth. We must never forget our commitment to safe and affordable housing for our neediest citizens. I commend my colleagues for their skillful work which has led to this major legislation.

CORRECTION OF THE RECORD

Mr. MOYNIHAN. Mr. President, today I rise to correct the RECORD by noting that Senator BARBARA BOXER was erroneously listed as having signed the letter Senator WARNER and I wrote on October 12, 1999, regarding the Senate's need to postpone voting on the Comprehensive Test Ban Treaty. Her name should therefore be excised from this letter.

THE VERY BAD DEBT BOXSCORE

Mr. HELMS. Mr. President, at the close of business Friday, October 15, 1999, the Federal debt stood at $5,664,657,029,541.87 (Five trillion, six hundred sixty-four billion, six hundred fifty-seven million, twenty-nine thousand, five hundred forty-one dollars and eighty-seven cents).

One year ago, October 15, 1998, the Federal debt stood at $5,537,594,000,000 (Five trillion, five hundred thirty-seven billion, five hundred ninety-four million).

Fifteen years ago, October 15, 1984, the Federal debt stood at $1,590,669,000,000 (One trillion, five hundred ninety billion, six hundred sixty-nine million).

Twenty-five years ago, October 15, 1974, the Federal debt stood at $478,586,000,000 (Four hundred seventy-eight billion, five hundred eighty-six million) which reflects a debt increase of more than $5 trillion—$5,186,071,029,541.87 (Five trillion, one hundred eighty-six billion, seventy-one million, twenty-nine thousand, five hundred forty-one dollars and eighty-seven cents) during the past 25 years.

MESSAGES FROM THE PRESIDENT

Messages from the President of the United States were communicated to the Senate by Mr. Williams, one of his secretaries.

EXECUTIVE MESSAGES REFERRED

As in executive session the Presiding Officer laid before the Senate messages from the President of the United States submitting sundry nominations which were referred to the Committee on Armed Services.

(The nominations received today are printed at the end of the Senate proceedings.)

REPORT OF THE UNITED STATES NUCLEAR REGULATORY COMMISSION FOR FISCAL YEAR 1998—MESSAGE FROM THE PRESIDENT—PM 65

The PRESIDING OFFICER laid before the Senate the following message from the President of the United States, together with an accompanying report; which was referred to the Committee on Environment and Public Works.

To the Congress of the United States:

As required by section 307(c) of the Energy Reorganization Act of 1974 (42 U.S.C. 5877(c)), I transmit herewith the Annual Report of the United States Nuclear Regulatory Commission, which covers activities that occurred in fiscal year 1998.

WILLIAM J. CLINTON.

THE WHITE HOUSE, *October 18, 1999*.

MESSAGE FROM THE HOUSE

ENROLLED BILLS SIGNED

At 5:05 p.m., a message from the House of Representatives, delivered by

Ms. Niland, one of its reading clerks, announced that the Speaker has signed the following enrolled bills:

H.R. 3036. An act to restore motor carrier safety enforcement authority to the Department of Transportation.

H.R. 2684. An act making appropriations for the Departments of Veterans Affairs and Housing and Urban Development, and for sundry independent agencies, boards, commissions, corporations, and offices for the fiscal year ending September 30, 2000, and for other purposes.

H.R. 356. An act to provide for the conveyance of certain property from the United States to Stanislaus County, California.

The enrolled bills were signed subsequently by the President pro tempore (Mr. THURMOND).

MEASURE PLACED ON THE CALENDAR

Pursuant to the order of August 4, 1977, the following bill was discharged from the Committee on the Budget, and placed on the calendar:

S. 1214. A bill to ensure the liberties of the people by promoting federalism, to protect the reserved powers of the States, to impose accountability for Federal preemption of State and local laws, and for other purposes.

EXECUTIVE AND OTHER COMMUNICATIONS

The following communications were laid before the Senate, together with accompanying papers, reports, and documents, which were referred as indicated:

EC–5663. A communication from the Chief, Office of Regulations and Administrative Law, U.S. Coast Guard, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Safety/Security Zone Regulations; Chesapeake Bay, Hampton, VA (CGD05–99–090)'' (RIN2115–AA97) (1999–0065), received October 7, 1999; to the Committee on Commerce, Science, and Transportation.

EC–5664. A communication from the Chief, Office of Regulations and Administrative Law, U.S. Coast Guard, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Safety/Security Zone Regulations; Mile 94.0 to Mile 96.0, Lower Mississippi River, Above Head of Passes (COTP New Orleans, LA 99–026)'' (RIN2115–AA97) (1999–0066), received October 7, 1999; to the Committee on Commerce, Science, and Transportation.

EC–5665. A communication from the Chief, Office of Regulations and Administrative Law, U.S. Coast Guard, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Drawbridge Regulations; Passaic River, NJ (CGD01–99–171)'' (RIN2115–AE47) (1999–0047), received October 7, 1999; to the Committee on Commerce, Science, and Transportation.

EC–5666. A communication from the Chief, Office of Regulations and Administrative Law, U.S. Coast Guard, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Drawbridge Regulations; Inner Harbor Navigation Canal, LA (CGD08–99–0111'' (RIN2115–E47) (1999–0048), received October 7, 1999; to the Committee on Commerce, Science, and Transportation.

EC–5667. A communication from the Chief, Office of Regulations and Administrative Law, U.S. Coast Guard, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Drawbridge Regulations; Gulf Intracoastal Waterway, Algiers Alternate Route, LA (CGD08–99–057)'' (2115–AE47) (1999–0046), received October 7, 1999; to the Committee on Commerce, Science, and Transportation.

EC–5668. A communication from the Chief, Office of Regulations and Administrative Law, U.S. Coast Guard, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Drawbridge Regulations; Suwannee River, FL (CGD07–98–054)'' (2115–AE47) (1999–0045), received October 7, 1999; to the Committee on Commerce, Science, and Transportation.

EC–5669. A communication from the Chief, Office of Regulations and Administrative Law, U.S. Coast Guard, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Rules of Practice, Procedure, and Evidence for Administrative Proceedings of the Coast Guard (USCG–1998–3472)'' (2115–AF59) (1999–0003), received October 7, 1999; to the Committee on Commerce, Science, and Transportation.

EC–5670. A communication from the Chief, Office of Regulations and Administrative Law, U.S. Coast Guard, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''User Fees for Marine Licensing, Certificates of Registry, and Merchant Mariner Documents (USCG–1997–0002)'' (2115–AF49) (1999–0002), received October 7, 1999; to the Committee on Commerce, Science, and Transportation.

EC–5671. A communication from the Acting Director, Office of Sustainable Fisheries, National Marine Fisheries Service, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled ''Closure of the Central Regulatory Area of the Gulf of Alaska for Pacific Cod by the Inshore Component'', received October 13, 1999; to the Committee on Commerce, Science, and Transportation.

EC–5672. A communication from the Acting Director, Office of Sustainable Fisheries, National Marine Fisheries Service, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled ''Fisheries of the Exclusive Economic Zone Off Alaska; Pollock by Vessels Catching Pollock for Processing by the Inshore Component in the Bering Sea Subarea'' received October 13, 1999; to the Committee on Commerce, Science, and Transportation.

EC–5673. A communication from the Acting Director, Office of Sustainable Fisheries, National Marine Fisheries Service, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled ''Fisheries of the Exclusive Economic Zone Off Alaska; Vessels Catching Pollock for Processing by the Inshore Component in the Bering Sea Subarea'' received October 5, 1999; to the Committee on Commerce, Science, and Transportation.

EC–5674. A communication from the Acting Director, Office of Sustainable Fisheries, National Marine Fisheries Service, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled ''Fisheries of the Exclusive Economic Zone Off Alaska; Pacific Cod by Catcher Vessels Using Trawl Gear in the Bering Sea and Aleutian Islands'' received October 5, 1999; to the Committee on Commerce, Science, and Transportation.

EC–5675. A communication from the Acting Director, Office of Sustainable Fisheries, National Marine Fisheries Service, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled ''Closure of the Central Regulatory Area of the Gulf of Alaska for Pacific Cod by the Inshore Component'', received October 8, 1999; to the Committee on Commerce, Science, and Transportation.

EC–5676. A communication from the Acting Director, Office of Sustainable Fisheries, National Marine Fisheries Service, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled ''Closure of the Eastern Regulatory Area of the Gulf of Alaska to Retention of Shortraker and Rougheye Rockfish'', received October 8, 1999; to the Committee on Commerce, Science, and Transportation.

EC–5677. A communication from the Acting Director, Office of Sustainable Fisheries, National Marine Fisheries Service, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled ''Fisheries off West Coast States and in the Western Pacific; Pacific Coast Groundfish Fishery; End of the Primary Season and Resumption of Trip Limits for the Shore-based Whiting Sector'', received October 5, 1999; to the Committee on Commerce, Science, and Transportation.

EC–5678. A communication from the Director, Office of Sustainable Fisheries, National Marine Fisheries Service, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled ''Fisheries of the Northeastern United States; Summer Flounder Fishery; Notification of Waiver of Annual Federal Summer Flounder Recreational Measures'', received October 5, 1999; to the Committee on Commerce, Science, and Transportation.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. CHAFEE, from the Committee on Environment and Public Works, without amendment:

S. 1119. A bill to amend the Act of August 9, 1950, to continue funding of the Coastal Wetlands Planning, Protection and Restoration Act (Rept. No. 106–193).

By Mr. CHAFEE, from the Committee on Environment and Public Works, without amendment:

S. 1744. An original bill to amend the Endangered Species Act of 1973 to provide that certain species conservation reports shall continue to be submitted (Rept. No. 106–194).

By Mr. MURKOWSKI, from the Committee on Energy and Natural Resources, without amendment:

S. 1275. A bill to authorize to Secretary of the Interior to produce and sell products and to sell publications relating to the Hoover Dam, and to deposit revenues generated from the sales into the Colorado River Dam fund (Rept. No. 106–195).

INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

The following bills and joint resolutions were introduced, read the first and second time by unanimous consent, and referred as indicated:

By Mr. CRAPO (for himself and Mr. CRAIG):

S. 1742. A bill to amend title XVIII of the Social Security Act to permit certain skilled nursing facilities to participate in the 3-year transition period under the prospective payment system for skilled nursing facility services; to the Committee on Finance.

By Mr. CLELAND:

S. 1743. A bill to amend the Transportation Equity Act for the 21st Century to authorize the State of Georgia to participate in the State infrastructure bank pilot program; to the Committee on Environment and Public Works.

By Mr. CHAFEE:

S. 1744. An original bill to amend the Endangered Species Act of 1973 to provide that

certain species conservation reports shall continue to be submitted; from the Committee on Environment and Public Works; placed on the calendar.

By Mr. REED:

S. 1745. A bill to establish and expand child opportunity zone family centers in elementary schools and secondary schools, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

By Mr. MOYNIHAN:

S. 1746. A bill to authorize negotiation of a free trade agreement with the Republic of Turkey, to provide authority for the implementation of the agreement, and for other purposes; to the Committee on Finance.

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. CLELAND:

S. 1743. A bill to amend the Transportation Equity Act for the 21st Century to authorize the State of Georgia to participate in the State infrastructure bank pilot program; to the Committee on Environment and Public Works.

STATE INFRASTRUCTURE BANK PILOT PROGRAM LEGISLATION

Mr. CLELAND. Mr. President, I rise today to introduce legislation which would allow my home state of Georgia to participate in the State Infrastructure Bank (SIB) program. Prior to the enactment of the Transportation Equity Act for the 21st Century (TEA–21) all 50 states were eligible for SIB revolving funds, which are capitalized with federal and state contributions and used to provide loans and other forms of non-grant assistance to transportation projects. TEA–21, however, limited an enhanced SIB program to four states (California, Florida, Missouri, Rhode Island). My bill would add Georgia as a fifth state for participation in the SIB program.

Georgia and Metro Atlanta, I believe, can be a national model on how to meet clean air standards and manage suburban sprawl without compromising economic growth. Governor Roy Barnes and the Georgia General Assembly deserve a great deal of credit for grabbing the bull by the horns when they enacted historic legislation creating the Georgia Regional Transportation Authority (GRTA). GRTA will work with other state agencies and organizations to solve the traffic, pollution, and sprawl problems that plague Metro Atlanta.

In order to carry out its legislative charge in conjunction with the Georgia Department of Transportation (GDOT), the Metropolitan Atlanta Rapid Transit Authority (MARTA), the Atlanta Regional Commission (ARC), and other transportation agencies, GRTA will need sufficient financial resources to become a regional authority with teeth. To assist in procurement of these resources, the legislation I am introducing today would extend the State Infrastructure Bank program to include Georgia. I believe that this program can be a vital component in funding such important projects as the multi-state high speed rail corridor.

The SIB program authorizes loans to a public or private entity to cover the partial or complete cost of an approved project, and it allows for innovative planning and development of funding streams for repayment, which does not begin until five years after the completion of the project. Additionally, TEA–21 allows for the creation of a multistate infrastructure bank system among the pilot states. In so doing, states would be encouraged to share not only funds but also ideas for combating pollution and traffic problems and encouraging alternative forms of transportation. Georgia would be a perfect addition to this mix.

Georgia can be a model for the nation—an example for other states that are facing similar problems of balancing growth and livability. Georgia's participation in the SIB program would provide more options to fund the solutions that will allow the proper balance to be struck. GRTA, GDOT and the other transportation entities in Georgia have expressed to me their enthusiasm over the possibilities that are presented by Georgia's participation in the SIB program. I hope that my Senate colleagues will join with me in support of this legislation which will allow Georgia to participate in the SIB program and in doing so it will illustrate to the country the full potential of this program.

I ask unanimous consent that the bill be printed in the RECORD.

There being no objection, the bill was ordered to be printed in the RECORD, as follows:

S. 1743

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. STATE INFRASTRUCTURE BANK PILOT PROGRAM.

Section 1511(b)(1)(A) of the Transportation Equity Act for the 21st Century (23 U.S.C. 181 note; 112 Stat. 251) is amended by inserting ''Georgia,'' after ''Florida''.

By Mr. REED:

S. 1745. A bill to establish and expand child opportunity zone family centers in elementary schools and secondary schools, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

CHILD OPPORTUNITY ZONE FAMILY CENTERS ACT

Mr. REED. Mr. President, I rise today to introduce legislation to encourage communities to foster school-based or school-linked family centers. These centers would provide a comprehensive array of information, support, services, and activities to improve the education, health, mental health, safety, and economic well-being of children and their families.

As we strive to ensure the academic and future success of our students, we must recognize that the increasingly complex needs of children cannot be met by the education system alone.

Some facts to illustrate this point:

Today, 11.3 million children—more than 90 percent of them in working families—have no health insurance.

7.5 million children under the age of 18 require mental health services, while the National Institute of Mental Health estimates that fewer than one in five receive the help they need.

It is estimated that nearly five million school-age children spend time without adult supervision during a typical week. Meanwhile, FBI data show that the peak hours for violent juvenile crime occur during the after-school hours of 3:00 p.m. to 8:00 p.m.

Also according to the FBI, juveniles accounted for 17 percent of all violent crime arrests in 1997, and juveniles are victims in nearly 25 percent of all crimes.

To address these and other serious issues facing our children and families, a few states and localities have established centers and developed programs designed to provide families with access and linkages to needed social services in a location that is easily accessed by families—their children's school. All too often, the programs and services currently available to assist children and families, like health and mental health care, nutritional programs, child care, housing, and job training, exist in a fragmented fashion, making it difficult for many families to find a point of entry. The aim of my legislation is to bring these vital services under one familiar roof so children and families have easy access to needed services.

Research indicates that school-linked family center programs are a cost-effective way to provide supports to children and families. According to a report by the Northeast and Islands Regional Educational Laboratory, school-linked services can also ''help to increase student achievement, save money and reduce overlapping services, reach those children and families most in need, make schools more welcoming to families, increase community support for the school, and help at-risk families develop the capacity to manage their own lives successfully.''

My legislation, the Child Opportunity Zone Family Centers Act, builds on a successful model in my home state of Rhode Island, the Rhode Island Child Opportunity Zone (COZ) Family Center initiative.

The Child Opportunity Zone Family Centers Act would provide grants on a competitive basis to partnerships consisting of a high poverty school; school district; other public agency, such as a department of health or social services; and non-profit community organizations, including a family health center that provides mental health services. Partnerships would be required to complete a needs assessment, and then use this information to provide children and families with linkages to existing community prevention and intervention services in the core areas of education, health, and family support. In addition, partnerships would provide violence prevention education to children and families and training to enable families to help their children

meet challenging standards and succeed in school.

The guiding principle of Rhode Island's COZ Family Centers is to help children and families get the assistance they need. This principle is reflected in my legislation, which contains accountability provisions to ensure that partnerships focus on improvements in student achievement, school readiness, family participation in schools, access to health care, mental health care, child care, and family support services and work to reduce violence-related problems, truancy, suspension, and dropout rates in order to continue to receive funding.

As we prepare to work on the reauthorization of the Elementary and Secondary Education Act, I believe that it is critical that we do all we can to provide a seamless, integrated system of support for children and families. By giving families an opportunity to get the support they need, we can truly help children succeed in school and life. I urge my colleagues to cosponsor this important legislation and work for its inclusion in the upcoming reauthorization of the Elementary and Secondary Education Act.

Mr. President, I ask unanimous consent that the text of this legislation be printed in the RECORD.

There being no objection, the bill was ordered to be printed in the RECORD, as follows:

S. 1745

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. CHILD OPPORTUNITY ZONE FAMILY CENTERS.

Title X of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 8001 et seq.) is amended by adding at the end the following:

"PART L—CHILD OPPORTUNITY ZONE FAMILY CENTERS

"SEC. 10995A. SHORT TITLE.

''This part may be cited as the 'Child Opportunity Zone Family Center Act of 1999'.

"SEC. 10995B. PURPOSE.

''The purpose of this part is to encourage eligible partnerships to establish or expand child opportunity zone family centers in elementary schools and secondary schools in order to provide comprehensive support services for children and their families, and to improve the children's educational, health, mental health, and social outcomes.

"SEC. 10995C. DEFINITIONS.

''In this title:

''(1) CHILD OPPORTUNITY ZONE FAMILY CENTER.—The term 'child opportunity zone family center' means a school-based or school-linked community service center that provides and links children and their families with comprehensive information, support, services, and activities to improve the education, health, mental health, safety, and economic well-being of the children and their families.

''(2) ELIGIBLE PARTNERSHIP.—The term 'eligible partnership' means a partnership—

''(A) that contains—

''(i) at least 1 elementary school or secondary school that—

''(I) receives assistance under title I and for which a measure of poverty determination is made under section 1113(a)(5) with respect to a minimum of 40 percent of the children in the school; and

''(II) demonstrates parent involvement and parent support for the partnership's activities;

''(ii) a local educational agency;

''(iii) a public agency, other than a local educational agency, including a local or State department of health and social services; and

''(iv) a nonprofit community-based organization, including a community mental health services organization or a family health center that provides mental health services; and

''(B) that may contain—

''(i) an institution of higher education; and

''(ii) other public or private nonprofit entities.

"SEC. 10995D. GRANTS AUTHORIZED.

''(a) IN GENERAL.—The Secretary may award, on a competitive basis, grants to eligible partnerships to pay for the Federal share of the cost of establishing and expanding child opportunity zone family centers.

''(b) DURATION.—The Secretary shall award grants under this section for periods of 5 years.

"SEC. 10995E. REQUIRED ACTIVITIES.

''Each eligible partnership receiving a grant under this part shall use the grant funds—

''(1) in accordance with the needs assessment described in section 10995F(b)(1), to provide or link children and their families with information, support, activities, or services in core areas consisting of—

''(A) education, such as child care and education programs for children below the age of compulsory school attendance, before- and after-school care, and school age enrichment and education support programs;

''(B) health, such as primary care (including prenatal care, well child care, and mental health care), preventative health and safety programs, outreach and referral, screening and health promotion, and enrollment in health insurance programs; and

''(C) family support, such as adult education and literacy programs, welfare-to-work-programs, job training, parenting skills programs, assistance that supports healthy child development, and access to basic needs, including food and housing;

''(2) to provide intensive, high-quality, research-based instructional programs that—

''(A) provide violence prevention education for families and developmentally appropriate instructional services to children (including children below the age of compulsory school attendance), such as education and services on nonviolent conflict resolution, pro social skills and behaviors, and other skills necessary for effectively relating to others without violence; and

''(B) provide effective strategies for nurturing and supporting the emotional, social, and cognitive growth of children; and

''(3) to provide training, information, and support to families to enable the families to participate effectively in their children's education, and to help their children meet challenging standards, including assisting families to—

''(A) understand the accountability systems, including content standards, performance standards, and local assessments, in place for the State involved, the participating local educational agency, and the participating elementary school or secondary school;

''(B) understand their children's educational needs, their children's educational performance in comparison to State and local standards, and the steps the school is taking to address the children's needs and to help the children meet the standards; and

''(C) communicate effectively with personnel responsible for providing educational services to the families' children, and to participate in the development, amendment, review, and implementation of school-parent compacts, parent involvement policies, and school plans.

"SEC. 10995F. APPLICATIONS.

''(a) IN GENERAL.—Each eligible partnership desiring a grant under this part shall submit an application to the Secretary at such time, in such manner, and containing such information as the Secretary may require.

''(b) CONTENTS.—Each application submitted pursuant to subsection (a) shall—

''(1) include a needs assessment, including a description of how the partnership will ensure that the activities to be assisted under this part will be tailored to meet the specific needs of the children and families to be served;

''(2) describe arrangements that have been formalized between the participating elementary school or secondary school, and other partnership members;

''(3) describe how the partnership will effectively coordinate and utilize Federal, State, and local educational agency sources of funding, including funding provided under part I of title X and under the Safe Schools/Healthy Students Initiative (jointly funded by the Departments of Education, Justice, and Health and Human Services), that provide assistance to families and their children in the areas of job training, housing, justice, health, mental health, child care, and social and human services;

''(4) describe the partnership's plan to—

''(A) develop and carry out the activities assisted under this part with extensive participation of parents, administrators, teachers, pupil services personnel, social and human service agencies, and community organizations and leaders; and

''(B) connect and integrate the activities assisted under this part with the education reform efforts of the participating elementary school or secondary school, and the participating local educational agency;

''(5) describe the partnership's strategy for providing information and assistance in a language and form that families can understand, including how the partnership will ensure that families of students with limited English proficiency, or families of students with disabilities, are effectively involved, informed, and assisted;

''(6) describe how the partnership will collect and analyze data, and will utilize specific performance measures and indicators to—

''(A) determine the impact of activities assisted under this part as described in section 10995I(a); and

''(B) improve the activities assisted under this part; and

''(7) describe how the partnership will protect the privacy of families and their children participating in the activities assisted under this part.

"SEC. 10995G. FEDERAL SHARE.

''The Federal share of the cost of establishing and expanding child opportunity zone family centers—

''(1) for the first year for which an eligible partnership receives assistance under this part shall not exceed 90 percent;

''(2) for the second such year, shall not exceed 80 percent;

''(3) for the third such year, shall not exceed 70 percent;

''(4) for the fourth such year, shall not exceed 60 percent; and

''(5) for the fifth such year, shall not exceed 50 percent.

"SEC. 10995H. CONTINUATION OF FUNDING.

"Each eligible partnership that receives a grant under this part shall, after the third year for which the partnership receives funds through the grant, be eligible to continue to receive the funds if the Secretary determines that the partnership has made significant progress in meeting the performance measures used for the partnership's local evaluation under section 10995I(a)(4).

"SEC. 10995I. EVALUATIONS AND REPORTS.

"(a) LOCAL EVALUATIONS.—Each partnership receiving funds under this part shall conduct annual evaluations and submit to the Secretary reports containing the results of the evaluations. The reports shall include—

"(1) information on the partnership's activities that are assisted under this part;

"(2) information on the number of families and children served by the partnership's activities that are assisted under this part;

"(3) information on the partnership's effectiveness in reaching and meeting the needs of families and children served under this part, including underserved families, families of students with limited English proficiency, and families of students with disabilities; and

"(4) the results of a partnership's performance assessment of the partnership, including performance measures demonstrating—

"(A) improvements in student achievement, school readiness, family participation in schools, and access to health care, mental health care, child care, and family support services, resulting from activities assisted under this part; and

"(B) reductions in violence-related problems and risk taking behavior among youth, and reductions in truancy, suspension, and dropout rates, resulting from activities assisted under this part.

"(b) NATIONAL EVALUATIONS.—

"(1) IN GENERAL.—The Secretary shall reserve not more than 3 percent of the amount appropriated under this part to carry out a national evaluation of the activities assisted under this part. Such evaluation shall be completed not later than 3 years after the date of enactment of the Child Opportunity Zone Family Center Act of 1999, and every year thereafter.

"(2) SCOPE OF EVALUATION.—In conducting the national evaluation, the Secretary shall evaluate the effectiveness and impact of the activities, and identify model activities, assisted under this part.

"(3) ANNUAL REPORTS.—The Secretary shall submit an annual report to Congress, regarding each national evaluation conducted under paragraph (1), that contains the information described in the national evaluation.

"(c) MODEL ACTIVITIES.—The Secretary shall broadly disseminate information on model activities developed under this part.

"SEC. 10995J. AUTHORIZATION OF APPROPRIATIONS.

"There are authorized to be appropriated to carry out this part $50,000,000 for fiscal year 2000, and such sums as may be necessary for each of the fiscal years 2001 through 2004.".

By Mr. MOYNIHAN:

S. 1746. A bill to authorize negotiation of a free trade agreement with the Republic of Turkey, to provide authority for the implementation of the agreement, and for other purposes; to the Committee on Finance.

THE U.S.-TURKEY FREE TRADE AGREEMENT ACT OF 1999

Mr. MOYNIHAN. Mr. President, I rise today to introduce the U.S.-Turkey Free Trade Agreement Act of 1999. This bill provides traditional trade negotiating authority—we once called it "fast track authority"—for a free trade agreement (FTA) with the Republic of Turkey. It would authorize the President to negotiate and conclude a free trade agreement with one of America's most important allies and bring that agreement and any necessary implementing legislation back to the Congress for an up-or-down vote, within a time certain.

I would begin by noting that Turkey has played a singular role at the crossroads of East and West since 1923, when the legendary Mustafa Kemal "Ataturk" built a western-oriented, secular state out of the ashes of the collapsed 600-year old Ottoman Empire. Its constitution establishes a democratic, parliamentary form of government with an independent judiciary. Indeed, it is the only Muslim country with a secular democracy.

Turkish-American friendship is longstanding: it was first consecrated in the Treaty of Commerce and Navigation between the United States and the Ottoman Empire in 1830. The 1929 Treaty of Commerce and Navigation cemented our commercial ties with the new republic, while the July 12, 1947 agreement on aid to Turkey, implementing the Truman Doctrine, inaugurated the very close relationship that continues today. Our friendship has since been reinforced by more than 60 agreements, treaties and memoranda of understanding.

It is time to take that relationship a step farther, and begin negotiations toward a free trade agreement with Turkey. Not only do our strategic and political interests dictate closer economic integration, but our commercial interests do so as well.

Straddling Europe and Asia, Turkey has played a central role in safeguarding the United States' security interests in the region since it first entered World War II on the side of the allies at the end of the war. Turkey was a charter member of the United Nations and joined the North Atlantic Treaty Organization (NATO) in 1952. It currently has the largest military force in the Middle East, and the second largest military force in NATO.

Its geography, history, and relative economic success put Turkey in a position of potential influence in Central Asia, which is, of course, populated mainly by Turkic peoples. To the west, Turkey plays an important role in Europe, both because of its NATO membership and the situation on Cyprus. We applaud the recent improvements in Turkey's relations with Greece, and hope for more. This past summer the two countries held bilateral talks on a range of issues, talks which continued in early September. The tragedy of the recent earthquakes further reinforced this burgeoning relationship as Greece and then Turkey promptly dispatched emergency rescue crews and supplies to assist the other in dealing with these disasters.

And to the south, Turkey is, without question, one of our two most important allies in the Middle East. The other is its neighbor, Israel, with whom the United States negotiated a free trade agreement that went into effect in 1985. Less well known is the fact that Turkey and Israel negotiated a free trade agreement in 1996, which was ratified in 1997 and is in force today. A U.S.-Turkey FTA would simply complete the triangle.

Writing in the September 28, 1999 edition of The Washington Post, Dr. Isaiah Frank, the very distinguished William L. Clayton Professor of International Economics at Johns Hopkins University's School of Advanced International Studies, argued persuasively on political grounds for a free trade agreement with Turkey.

> The EU's equivocation [over Turkey's proposed membership in the European Union] has bred Turkish disaffection from Europe and plays into the political hands of the Islamists who as recently as 1996 were at the helm of the government. Clearly, the enormous U.S. stake in a secular, Western-oriented Turkey warrants action by the United States to offset the EU's arm's length treatment and to strengthen and solidify the country's Western political and economic integration.

But Dr. Frank was correct to point out as well that a free trade agreement with Turkey would also be in the United States' economic interest. Turkey is an industrial country, underpinned by strong free market principles and a vibrant private sector. It was in 1961 a founding member of the Organization for Economic Cooperation and Development, the exclusive club—there are today only 29 OECD member countries—that serves as the principal economic forum for the industrialized world.

In the 1980's, Turkey took major steps to liberalize its economy. Progress continues to be made: earlier this year, Turkey's parliament passed a significant banking reform bill, landmark social security reform and constitutional amendments removing obstacles to foreign investment and promoting the privatization of state-owned enterprises. Turkey's increasingly open economy has produced rewards: during most of the 1990's, it has been one of the fastest growing of the OECD countries and, for the past eight years, it has had the fourth highest annual growth rate, after Ireland, Korea and Luxembourg, recording a 4.4% average annual rate of growth in GNP between 1990 and 1998.

Turkey has opened itself to the global economy in significant ways. It became a Contracting Party to the General Agreement on Tariffs in Trade in 1951 and joined the World Trade Organization as a charter member in 1995. Turkey signed a free trade agreement with the European Free Trade Association in 1991 and established a customs union with the European Union in 1996. As Dr. Frank noted, it has sought full membership in the EU, thus far without success. There has been, of late,

some limited progress in that regard: on October 13, 1999, the European Commission suggested that Turkey be made a candidate for possible EU membership, but proposed that negotiations be deferred for some unspecified time. The matter is to be discussed at the EU summit this December. In 1992, Turkey joined ten other countries (Albania, Armenia, Azerbaijan, Bulgaria, Georgia, Greece, Moldova, Romania, Russia and Ukraine) to form the Black Sea Economic Cooperation group, which aims at promoting multilateral cooperation and trade in that region.

Our own economic ties with Turkey have strengthened over the years as well. In 1986, we concluded a bilateral investment treaty and in 1998 a bilateral tax treaty. And on September 29, 1999, President Clinton and Prime Minister Bulent Ecevit signed a Trade and Investment Framework Agreement, which establishes a bilateral Council on Trade and Investment that will serve as a forum for regular discussions on commercial matters. Helpful steps all, but, I would argue, not bold enough. I agree with Dr. Frank that a free trade agreement with Turkey ought to be our goal.

Yes, our trade with Turkey is still on a small scale. In 1998, U.S. merchandise exports to Turkey reached $3.5 billion, making Turkey our 34th largest export market. Our imports from Turkey were even smaller—$2.5 billion, or less than 0.3 percent of total imports—making Turkey our 39th largest source of imports.

Certainly Turkey compares favorably with Chile, the only country with whom the United States has begun free trade agreement negotiations since the North American Free Trade Agreement entered into force. In 1998, U.S. merchandise exports to Chile totaled $3.9 billion, only slightly higher than our $3.5 billion in exports to Turkey that year, while our imports from Chile in 1998 were the same as our imports from Turkey—$2.5 billion. And both countries fall within the World Bank's grouping of ''upper middle income'' countries based on per capita GNP: in 1998's Turkey's stood at $3,160, compared with $4,810 for Chile.

Turkey's market potential is certainly greater than Chile's: Turkey's population is four times the size of Chile's population (62 million vs. 15 million) and Turkey's total imports in 1998—about $42 billion—were double Chile's total imports that year—$19 billion.

To be sure, more than 50 percent of Turkey's trade—both exports and imports—is conducted with the European Union, but the United States is Turkey's second largest single-country trading partner, after Germany. And in 1993, the Department of Commerce designated Turkey one of 10 ''Big Emerging Markets''—a focal point for U.S. export and investment promotion efforts—because of its ''outstanding growth prospects'' and growing market of 62 million consumers.

I am convinced that there are strong economic arguments for a free trade agreement with Turkey. Our negotiators will have to take care, of course, that the benefits of the FTA are restricted to the United States and Turkey. But this is a matter that will be addressed when the negotiators write the rules of origin that will apply to the FTA.

The legislation that I am introducing today would set us on the course of negotiating and implementing an FTA with Turkey, much as we negotiated an FTA over a decade ago with Turkey's neighbor, and our dear friend, Israel. And much as Turkey and Israel have seen it in their mutual interest to negotiate a free trade agreement.

Dr. Frank made the case persuasively and succinctly in his op-ed piece in The Washington Post:

In light of Turkey's strategic role as a U.S. ally in a rough neighborhood, a U.S.-Turkey free-trade agreement would help consolidate Turkey's Western orientation and contribute to stability in a highly volatile region of the world.

I am hopeful that this bill will start us down that path.

I ask unanimous consent that the text of my bill and Dr. Frank's op-ed article be inserted into the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

S. 1746

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the ''United States-Turkey Free Trade Agreement Act of 1999''.

SEC. 2. FINDINGS.

Congress makes the following findings:

(1) The Republic of Turkey (in this Act referred to as ''Turkey'') has played an important strategic, political, and economic role in Europe, Asia, and the Middle East since its founding in 1923 by Mustafa Kemal ''Ataturk'' following the collapse of the 600-year Ottoman Empire.

(2) The friendship shared between the United States and Turkey dates to the late 18th century and was consecrated by the Treaty of Commerce and Navigation between the United States and the Ottoman Empire in 1830.

(3) The United States reaffirmed its relationship with Turkey by entering into the Treaty of Commerce and Navigation of 1929.

(4) The United States and Turkey have subsequently entered into over 60 treaties, memoranda of understanding, and other agreements on a broad range of issues, including a bilateral investment treaty (1986), a bilateral tax treaty (1998), and a trade and investment framework agreement (1999), as evidence of their strong friendship.

(5) Turkey is located in the strategic corridor between Europe and Asia, bordering the Black Sea and the Mediterranean Sea.

(6) Turkey has been a strategic partner of the United States since it joined the allies at the end of World War II.

(7) The strategic alliance between Turkey and the United States was cemented by—

(A) the agreement of July 12, 1947 implementing the Truman doctrine;

(B) Turkey's membership in the North Atlantic Treaty Organization (NATO) in 1952; and

(C) the United States-Turkey Agreement for Cooperation on Defense and Economy of 1980.

(8) Turkey is also an important industrialized economy and was a founding member of the Organization for Economic Cooperation and Development (OECD) and the United Nations.

(9) Turkey has made significant progress since the 1980's in liberalizing its economy and integrating with the global economy.

(10) Turkey has joined other nations in advocating an open trading system through its membership in the General Agreement on Tariffs and Trade and the World Trade Organization.

(11) Despite the deep friendship between the United States and Turkey, their trading relationship remains small.

(12) In 1998, United States merchandise exports to Turkey reached $3,500,000,000.

(13) In 1998, United States imports from Turkey totaled $2,500,000,000 or less than 0.3 percent of United States total imports.

(14) A free trade agreement between the United States and Turkey would greatly benefit both the United States and Turkey by expanding their commercial ties.

SEC. 3. NEGOTIATING OBJECTIVES FOR A UNITED STATES-TURKEY FREE TRADE AGREEMENT.

The overall trade negotiating objectives of the United States with respect to a United States-Turkey Free Trade Agreement are to obtain—

(1) more open, equitable, and reciprocal market access between the United States and Turkey; and

(2) the reduction or elimination of barriers and other trade-distorting policies and practices that inhibit trade between the United States and Turkey.

SEC. 4. NEGOTIATION OF A UNITED STATES-TURKEY FREE TRADE AGREEMENT.

(a) IN GENERAL.—Subject to sections 5 and 6, the President is authorized to enter into an agreement described in subsection (c). The provisions of section 151(c) of the Trade Act of 1974 (19 U.S.C. 2191(c)) shall apply with respect to a bill to implement such agreement if such agreement is entered into on or before December 31, 2005.

(b) TARIFF PROCLAMATION AUTHORITY.—

(1) IN GENERAL.—The President is authorized to proclaim—

(A) such modification or continuation of any existing duty,

(B) such continuance of existing duty-free or excise treatment, or

(C) such additional duties

as the President determines to be required or appropriate to carry out the trade agreement described in subsection (c).

(2) LIMITATIONS.—No proclamation may be made under paragraph (1) that—

(A) reduces any rate of duty (other than a rate of duty that does not exceed 5 percent ad valorem on the date of enactment of this Act) to a rate which is less than 50 percent of the rate of such duty that applies on such date of enactment;

(B) provides for a reduction of duty on an article to take effect on a date that is more than 10 years after the first reduction that is proclaimed to carry out a trade agreement with respect to such article; or

(C) increases any rate of duty above the rate that applied on the date of enactment of this Act.

(3) AGGREGATE REDUCTION; EXEMPTION FROM STAGING.—

(A) AGGREGATE REDUCTION.—Except as provided in subparagraph (B), the aggregate reduction in the rate of duty on any article which is in effect on any day pursuant to a

trade agreement entered into under paragraph (1) shall not exceed the aggregate reduction which would have been in effect on such day if—

(i) a reduction of 3 percent ad valorem or a reduction of one-tenth of the total reduction, whichever is greater, had taken effect on the effective date of the first reduction proclaimed under paragraph (1) to carry out such agreement with respect to such article; and

(ii) a reduction equal to the amount applicable under clause (i) had taken effect at 1-year intervals after the effective date of such first reduction.

(B) EXEMPTION FROM STAGING.—No staging under subparagraph (A) is required with respect to a rate reduction that is proclaimed under paragraph (1) for an article of a kind that is not produced in the United States. The United States International Trade Commission shall advise the President of the identity of articles that may be exempted from staging under this subparagraph.

(4) ROUNDING.—If the President determines that such action will simplify the computation of reductions under paragraph (3), the President may round an annual reduction by the lesser of—

(A) the difference between the reduction without regard to this paragraph and the next lower whole number; or

(B) one-half of 1 percent ad valorem.

(5) OTHER LIMITATIONS.—A rate of duty reduction or increase that may not be proclaimed by reason of paragraph (2) may take effect only if a provision authorizing such reduction or increase is included within an implementing bill provided for under section 6(c) and that bill is enacted into law.

(c) AGREEMENT DESCRIBED.—An agreement described in this subsection means a bilateral agreement between the United States and Turkey that provides for the reduction and ultimate elimination of tariffs and nontariff barriers to trade and the eventual establishment of a free trade agreement between the United States and Turkey.

SEC. 5. CONSULTATIONS WITH CONGRESS ON NEGOTIATIONS OF A UNITED STATES-TURKEY FREE TRADE AGREEMENT.

Before entering into any trade agreement under section 4 (including immediately before initialing an agreement), the President shall consult closely and on a timely basis on the nature of the agreement and the extent to which it will achieve the purposes of this Act with—

(1) the Committee on Ways and Means of the House of Representatives and the Committee on Finance of the Senate;

(2) the congressional advisers for trade policy and negotiations appointed under section 161 of the Trade Act of 1974 (19 U.S.C. 2211); and

(3) each other committee of the House of Representatives and the Senate, and each joint committee of Congress, which has jurisdiction over legislation involving subject matters that would be affected by the trade agreement.

SEC. 6. IMPLEMENTATION OF UNITED STATES-TURKEY FREE TRADE AGREEMENT.

(a) NOTIFICATION AND SUBMISSION.—Any agreement entered into under section 4 shall enter into force with respect to the United States if (and only if)—

(1) the President, at least 60 calendar days before the day on which the President enters into the trade agreement, notifies the House of Representatives and the Senate of the President's intention to enter into the agreement, and promptly thereafter publishes notice of such intention in the Federal Register;

(2) within 60 calendar days after entering into the agreement, the President submits to Congress a description of those changes to existing laws that the President considers would be required in order to bring the United States into compliance with the agreement;

(3) after entering into the agreement, the President submits a copy of the final legal text of the agreement, together with—

(A) a draft of an implementing bill described in subsection (c);

(B) a statement of any administrative action proposed to implement the trade agreement; and

(C) the supporting information described in subsection (b); and

(4) the implementing bill is enacted into law.

(b) SUPPORTING INFORMATION.—The supporting information required under subsection (a)(3)(C) consists of—

(1) an explanation as to how the implementing bill and proposed administrative action will change or affect existing law; and

(2) a statement—

(A) asserting that the agreement makes progress in achieving the objectives of this Act; and

(B) setting forth the reasons of the President regarding—

(i) how and to what extent the agreement makes progress in achieving the objectives referred to in subparagraph (A);

(ii) whether and how the agreement changes provisions of an agreement previously negotiated;

(iii) how the agreement serves the interests of United States commerce; and

(iv) any proposed administrative action.

(c) BILLS QUALIFYING FOR TRADE AGREEMENT APPROVAL PROCEDURES.—The provisions of section 151 of the Trade Act of 1974 apply to an implementing bill submitted pursuant to subsection (b) that contains only—

(1) provisions that approve a trade agreement entered into under section 4 that achieves the negotiating objectives set forth in section 3 and the statement of administrative action (if any) proposed to implement such trade agreement;

(2) provisions that are—

(A) necessary to implement such agreement; or

(B) otherwise related to the implementation, enforcement, and adjustment to the effects of such trade agreement; and

(3) provisions necessary for purposes of complying with section 252 of the Balanced Budget and Emergency Deficit Control Act of 1985 in implementing the applicable trade agreement.

SEC. 7. CONSIDERATION OF IMPLEMENTING BILL.

(a) CONGRESSIONAL CONSIDERATION OF IMPLEMENTING BILL.—When the President submits to Congress a bill to implement the trade agreement as described in section 6(c), the bill shall be introduced and considered pursuant to the provisions of section 151 of the Trade Act of 1974 (19 U.S.C. 2191).

(b) CONFORMING AMENDMENTS.—Section 151 of the Trade Act of 1974 (19 U.S.C. 2191) is amended—

(1) in subsection (b)(1), by inserting ''section 6 of the United States-Turkey Free Trade Agreement Act of 1999'' after ''the Omnibus Trade and Competitiveness Act of 1988,''; and

(2) in subsection (c)(1), by inserting ''or under section 6 of the United States-Turkey Free Trade Agreement Act of 1999,'' after ''the Uruguay Round Agreements Act,''.

[From the Washington Post, Sept. 28, 1999]

A PLACE FOR TURKEY

(By Isaiah Frank)

As Turkish Prime Minister Bulent Ecevit visits President Clinton today, an important and highly sensitive subject belongs on the agenda.

As a staunch ally of the United States, Turkey is unique. It is the only member of NATO that has sought entry into the European Union (EU) without success. The three most recent NATO members—Poland, Hungary and the Czech Republic—are already engaged in accession negotiations with the EU, but turkey, whose NATO membership dates back to 1952, has been kept at arm's length. Is there anything the United States can do to counter the deep disappointment and alienation felt in Turkey at being excluded from full acceptance into an ever more economically integrated European community?

During the Cold War, Turkey was regarded by the United States and its Western allies as the main bulwark against the southern expansion of Soviet power. Among NATO countries, its military establishment has ranked second in size to that of the United States. Since the end of the Cold War, Turkey has continued its close security cooperation with the United States. It played a key role in the U.S.-led Gulf War, its soldiers joined U.S. troops in international peacekeeping operations in Bosnia, and its provided valuable logistical support to the recent U.S. air operation in Serbia. As the only firmly established secular democracy among Muslim states, Turkey is vital to U.S. interest in sensitive regions, including the Balkans, the Caucasus, the Middle East and Central Asia.

In order to consolidate its secular and pro-Western orientation as well as tighten its economic links to Europe, Turkey has sought full membership in the EU virtually from the organization's inception. The EU, however, has decided that Turkey does not yet meet the required criteria. Instead, the EU signed a customs union agreement with turkey, which went into effect on Jan. 1, 1996. While Turkish officials initially considered the customs union a step toward full membership, it soon became clear that the European Union regarded it as a substitute for full membership.

Despite continuing official EU reaffirmations of Turkey's eligibility for full membership, the reality of de facto rejection has increasingly sunk in. Not only is turkey omitted from the list of countries (Poland, Hungary, the Czech Republic, Slovenia, Estonia and Cyprus) with which accession negotiations have already begun, it is also left out of a project second wave of expansion that will include five additional countries: Bulgaria, Romania, Lithuania, Latvia and Slovakia.

Why is Turkey being excluded? A variety of reasons have been given, including the Kurdish problem and related issues of human rights, Turkey's macroeconomic situation, and the opposition of Greece because of the Cyprus situation. But there is some indication of a softening of the Greek position, provided Turkey does not place roadblocks in the way of Cyprus's current efforts to join the EU. As for the Kurdish problem, Turkey is making progress in working out a peaceful solution. And the EU acknowledges that the country is headed in the right direction in reforming its economy.

If EU standards for resolving these problems are ultimately met, will Turkey then be admitted? Many Turkish leaders believe this unlikely because of officially unspoken EU apprehensions. Turkey's population of 64 million is second in size only to Germany's among present and prospective members of the EU. In some European circles, this sends up several red flags. If admitted, would Turkey exert undue weight in EU decision-making? With EU membership entailing the free movement of workers, what effects would the admission of a populous and relatively

low-income country have on European labor markets? And finally, would the EU be willing to integrate fully with a country that is almost entirely Muslim? None of these considerations is discussed openly, but they are clearly in the background of the debate.

The EU's equivocation has bred Turkish disaffection from Europe and plays into the political hands of the Islamists who as recently as 1996 were at the helm of the government. Clearly, the enormous U.S. stake in a secular, Western-oriented Turkey warrants action by the United States to offset the EU's arm's length treatment and to strengthen and solidify the country's Western political and economic integration.

One such step would be for the United States to offer to negotiate a free-trade agreement with Turkey. Indeed, there is precedent for such a bilateral agreement, one motivated more by political considerations than economic advantages, and that is the 1985 U.S. free-trade agreement with Israel.

But the economic rationale for such an agreement with Turkey should not be dismissed. For Turkey the advantages are obvious; the United States ranks second as a market for its exports and third as a source of its imports. For the United States, Turkey is one of the world's 10 big ''emerging markets,'' and this country is Turkey's largest foreign investor.

A U.S.-Turkey free-trade agreement would not be a substitute for Turkish membership in the EU, a goal that Turkey should continue to pursue as it gets its political and economic house in order. But it would help compensate for a growing belief in Turkey that the country has little prospect of entry into the EU mainly because of European prejudice against a Muslim country. In light of Turkey's strategic role as a U.S. ally in a rough neighborhood, a U.S.-Turkey free-trade agreement would help consolidate Turkey's Western orientation and contribute to stability in a highly volatile region of the world.

ADDITIONAL COSPONSORS

S. 16

At the request of Mr. DASCHLE, the name of the Senator from Iowa (Mr. HARKIN) was added as a cosponsor of S. 16, a bill to reform the Federal election campaign laws applicable to Congress.

S. 88

At the request of Mr. BUNNING, the names of the Senator from South Dakota (Mr. JOHNSON), and the Senator from Connecticut (Mr. LIEBERMAN) were added as cosponsors of S. 88, a bill to amend title XIX of the Social Security Act to exempt disabled individuals from being required to enroll with a managed care entity under the medicaid program.

S. 541

At the request of Ms. COLLINS, the name of the Senator from South Dakota (Mr. JOHNSON) was added as a cosponsor of S. 541, a bill to amend title XVIII of the Social Security Act to make certain changes related to payments for graduate medical education under the medicare program.

S. 751

At the request of Mr. LEAHY, the name of the Senator from South Dakota (Mr. JOHNSON) was added as a cosponsor of S. 751, a bill to combat nursing home fraud and abuse, increase protections for victims of telemarketing fraud, enhance safeguards for pension plans and health care benefit programs, and enhance penalties for crimes against seniors, and for other purposes.

S. 866

At the request of Mr. CONRAD, the name of the Senator from South Dakota (Mr. JOHNSON) was added as a cosponsor of S. 866, a bill to direct the Secretary of Health and Human Services to revise existing regulations concerning the conditions of participation for hospitals and ambulatory surgical centers under the medicare program relating to certified registered nurse anesthetists' services to make the regulations consistent with State supervision requirements.

S. 882

At the request of Mr. MURKOWSKI, the name of the Senator from Missouri (Mr. ASHCROFT) was added as a cosponsor of S. 882, a bill to strengthen provisions in the Energy Policy Act of 1992 and the Federal Nonnuclear Energy Research and Development Act of 1974 with respect to potential Climate Change.

S. 922

At the request of Mr. ABRAHAM, the names of the Senator from Iowa (Mr. HARKIN), the Senator from Indiana (Mr. BAYH), and the Senator from South Dakota (Mr. JOHNSON) were added as cosponsors of S. 922, a bill to prohibit the use of the ''Made in the USA'' label on products of the Commonwealth of the Northern Mariana Islands and to deny such products duty-free and quota-free treatment.

S. 934

At the request of Mr. ROBB, his name was added as a cosponsor of S. 934, a bill to enhance rights and protections for victims of crime.

S. 1017

At the request of Mr. MACK, the name of the Senator from Wisconsin (Mr. KOHL) was added as a cosponsor of S. 1017, a bill to amend the Internal Revenue Code of 1986 to increase the State ceiling on the low-income housing credit.

S. 1144

At the request of Mr. VOINOVICH, the names of the Senator from Nevada (Mr. REID), the Senator from Oregon (Mr. WYDEN) and the Senator from California (Mrs. BOXER) were added as cosponsors of S. 1144, a bill to provide increased flexibility in use of highway funding, and for other purposes.

S. 1178

At the request of Mr. DASCHLE, the name of the Senator from South Dakota (Mr. JOHNSON) was added as a cosponsor of S. 1178, a bill to direct the Secretary of the Interior to convey certain parcels of land acquired for the Blunt Reservoir and Pierre Canal features of the Oahe Irrigation Project, South Dakota, to the Commission of Schools and Public Lands of the State of South Dakota for the purpose of mitigating lost wildlife habitat, on the condition that the current preferential leaseholders shall have an option to purchase the parcels from the Commission, and for other purposes.

S. 1242

At the request of Mr. AKAKA, the name of the Senator from Massachusetts (Mr. KENNEDY) was added as a cosponsor of S. 1242, a bill to amend the Immigration and Nationality Act to make permanent the visa waiver program for certain visitors to the United States.

S. 1322

At the request of Mr. DASCHLE, the name of the Senator from South Dakota (Mr. JOHNSON) was added as a cosponsor of S. 1322, a bill to prohibit health insurance and employment discrimination against individuals and their family members on the basis of predictive genetic information or genetic services.

S. 1452

At the request of Mr. SHELBY, the names of the Senator from Kentucky (Mr. BUNNING) and the Senator from Indiana (Mr. LUGAR) were added as cosponsors of S. 1452, a bill to modernize the requirements under the National Manufactured Housing Construction and Safety Standards of 1974 and to establish a balanced consensus process for the development, revision, and interpretation of Federal construction and safety standards for manufactured homes.

S. 1495

At the request of Mr. DEWINE, the name of the Senator from New Hampshire (Mr. SMITH) was added as a cosponsor of S. 1495, a bill to establish, wherever feasible, guidelines, recommendations, and regulations that promote the regulatory acceptance of new and revised toxicological tests that protect human and animal health and the environment while reducing, refining, or replacing animal tests and ensuring human safety and product effectiveness.

S. 1500

At the request of Mr. HATCH, the names of the Senator from South Carolina (Mr. THURMOND) and the Senator from Missouri (Mr. ASHCROFT) were added as cosponsors of S. 1500, a bill to amend title XVIII of the Social Security Act to provide for an additional payment for services provided to certain high-cost individuals under the prospective payment system for skilled nursing facility services, and for other purposes.

S. 1547

At the request of Mr. BURNS, the names of the Senator from Hawaii (Mr. INOUYE) and the Senator from Wyoming (Mr. ENZI) were added as cosponsors of S. 1547, a bill to amend the Communications Act of 1934 to require the Federal Communications Commission to preserve low-power television stations that provide community broadcasting, and for other purposes.

S. 1561

At the request of Mr. ABRAHAM, the names of the Senator from Ohio (Mr. DEWINE), the Senator from Florida (Mr. GRAHAM), the Senator from California (Mrs. FEINSTEIN), and the Senator from Iowa (Mr. GRASSLEY) were added as cosponsors of S. 1561, a bill to amend the Controlled Substances Act to add gamma hydroxybutyric acid and ketamine to the schedules of control substances, to provide for a national awareness campaign, and for other purposes.

S. 1592

At the request of Mr. DURBIN, the name of the Senator from Louisiana (Ms. LANDRIEU) was added as a cosponsor of S. 1592, a bill to amend the Nicaraguan Adjustment and Central American Relief Act to provide to certain nationals of El Salvador, Guatemala, Honduras, and Haiti an opportunity to apply for adjustment of status under that Act, and for other purposes.

S. 1611

At the request of Mr. MCCAIN, the name of the Senator from Missouri (Mr. ASHCROFT) was added as a cosponsor of S. 1611, a bill to amend the Internet Tax Freedom Act to broaden its scope and make the moratorium permanent, and for other purposes.

S. 1622

At the request of Mrs. LINCOLN, the name of the Senator from Illinois (Mr. FITZGERALD) was added as a cosponsor of S. 1622, a bill to provide economic, planning, and coordination assistance needed for the development of the lower Mississippi River region.

S. 1623

At the request of Mr. SPECTER, the name of the Senator from Vermont (Mr. JEFFORDS) was added as a cosponsor of S. 1623, a bill to select a National Health Museum site.

S. 1649

At the request of Mr. ABRAHAM, the name of the Senator from Georgia (Mr. COVERDELL) was added as a cosponsor of S. 1649, a bill to provide incentives for States to establish and administer periodic teacher testing and merit pay programs for elementary school and secondary school teachers.

S. 1680

At the request of Mr. ASHCROFT, the name of the Senator from Missouri (Mr. BOND) was added as a cosponsor of S. 1680, a bill to provide for the improvement of the processing of claims for veterans compensation and pensions, and for other purposes.

S. 1683

At the request of Mr. MURKOWSKI, the name of the Senator from Alaska (Mr. STEVENS) was added as a cosponsor of S. 1683, a bill to make technical changes to the Alaska National Interest Lands Conservation Act, and for other purposes.

S. 1702

At the request of Mr. MURKOWSKI, the name of the Senator from Alaska (Mr. STEVENS) was added as a cosponsor of S. 1702, a bill to amend the Alaska Native Claims Settlement Act to allow shareholder common stock to be transferred to adopted Alaska Native children and their descendants, and for other purposes.

S. 1732

At the request of Mr. BREAUX, the name of the Senator from Montana (Mr. BAUCUS) was added as a cosponsor of S. 1732, a bill to amend the Internal Revenue Code of 1986 to prohibit certain allocations of S corporation stock held by an employee stock ownership plan.

S. 1738

At the request of Mr. JOHNSON, the name of the Senator from Iowa (Mr. HARKIN) was added as a cosponsor of S. 1738, a bill to amend the Packers and Stockyards Act, 1921, to make it unlawful for a packer to own, feed, or control livestock intended for slaughter.

SENATE RESOLUTION 108

At the request of Mr. BREAUX, the names of the Senator from Alabama (Mr. SHELBY), the Senator from Nevada (Mr. BRYAN), the Senator from South Carolina (Mr. HOLLINGS), and the Senator from Virginia (Mr. WARNER) were added as cosponsors of Senate Resolution 108, a resolution designating the month of March each year as ''National Colorectal Cancer Awareness Month.''

SENATE RESOLUTION 199

At the request of Mr. REED, the names of the Senator from Georgia (Mr. CLELAND), the Senator from Michigan (Mr. ABRAHAM), the Senator from Nevada (Mr. BRYAN), the Senator from New Jersey (Mr. LAUTENBERG), the Senator from Pennsylvania (Mr. SPECTER), and the Senator from Louisiana (Mr. BREAUX) were added as cosponsors of Senate Resolution 199, a resolution designating the week of October 24, 1999, through October 30, 1999, and the week of October 22, 2000, through October 28, 2000, as ''National Childhood Lead Poisoning Prevention Week.''

AMENDMENTS SUBMITTED

BIPARTISAN CAMPAIGN REFORM ACT OF 1999

BINGAMAN (AND WYDEN) AMENDMENT NO. 2303

(Ordered to lie on the table.)

Mr. BINGAMAN (for himself and Mr. WYDEN) submitted an amendment to be proposed by them to the bill (S. 1593) to amend the Federal Election Campaign Act of 1971 to provide bipartisan campaign reform; as follows:

At the end of the bill, add the following:

SEC. 6. LIMITATION ON AVAILABILITY OF LOWEST UNIT CHARGE FOR FEDERAL CANDIDATES ATTACKING OPPOSITION.

(a) IN GENERAL.—Section 315(b) of the Communications Act of 1934 (47 U.S.C. 315(b)) is amended—

(1) by striking ''(b) The charges'' and inserting ''(b)(1) The charges'';

(2) by redesignating paragraphs (1) and (2) as subparagraphs (A) and (B), respectively; and

(3) by adding at the end the following new paragraph:

''(2)(A) In the case of a candidate for Federal office, such candidate shall not be entitled to receive the rate under paragraph (1)(A) for the use of any broadcasting station unless the candidate certifies that the candidate (and any authorized committee of the candidate) shall not make any direct reference to another candidate for the same office, in any broadcast using the rights and conditions of access under this Act, unless such reference meets the requirements of subparagraph (C).

''(B) If a candidate for Federal office (or any authorized committee of such candidate) makes a reference described in subparagraph (A) in any broadcast that does not meet the requirements of subparagraph (C), such candidate shall not be entitled to receive the rate under paragraph (1)(A) for such broadcast or any other broadcast during any portion of the 45-day and 60-day periods described in paragraph (1)(A), that occur on or after the date of such broadcast, for election to such office.

''(C) A candidate meets the requirements of this subparagraph with respect to any reference to another candidate if—

''(i) in the case of a television broadcast, the reference (and any statement relating to the other candidate) is made by the candidate in a personal appearance on the screen, and

''(ii) in the case of a radio broadcast, the reference (and any statement relating to the other candidate) is made by the candidate in a personal audio statement during which the candidate and the office for which the candidate is running are identified by such candidate.

''(D) For purposes of this paragraph, the terms 'authorized committee' and 'Federal office' have the meanings given such terms by section 301 of the Federal Election Campaign Act of 1971 (2 U.S.C. 431).''.

(b) CONFORMING AMENDMENT.—Section 315(b)(1)(A) of the Communications Act of 1934 (47 U.S.C. 315(b)(1)(A)), as redesignated by subsection (a)(2), is amended by inserting ''subject to paragraph (2),'' before ''during the forty-five days''.

(c) EFFECTIVE DATE.—The amendments made by this section shall apply to broadcasts made after the date of enactment of this Act.

HUTCHINSON AMENDMENT NO. 2304

(Ordered to lie on the table.)

Mr. HUTCHINSON submitted an amendment intended to be proposed by him to the bill, S. 1593, supra; as follows:

At the end of the bill, add the following:

SEC. ___. DISCLOSURE BY LABOR ORGANIZATIONS.

(a) IN GENERAL.—Section 201(b) of the Labor-Management Reporting and Disclosure Act of 1959 (29 U.S.C. 431(b)) is amended—

(1) in paragraph (5), by striking ''and'' at the end; and

(2) by adding at the end the following:

''(7) an itemization of amounts spent by the labor organization for—

''(A) contract negotiation and administration;

''(B) organizing activities;

''(C) strike activities;

''(D) political activities;

''(E) lobbying and promotional activities; and

''(F) market recovery and job targeting programs; and

''(8) all transactions involving a single source or payee for each of the activities described in paragraph (7) in which the aggregate cost exceeds $10,000.''.

(b) COMPUTER NETWORK ACCESS.—Section 201(c) of the Labor-Management Reporting and Disclosure Act of 1959 (29 U.S.C. 431(c)) is amended by inserting ''including availability of such reports through a public Internet site or other publicly accessible computer network,'' after ''its members''.

(c) REPORTING BY SECRETARY.—Section 205(a) of the Labor-Management Reporting and Disclosure Act of 1959 (29 U.S.C. 435(a)) is amended by inserting ''shall make the reports and documents filed under section 201(b) available through a public Internet site or another publicly accessible computer network. The Secretary'' after ''and the Secretary''.

SNOWE AMENDMENT NO. 2305

(Ordered to lie on the table.)

Ms. SNOWE submitted an amendment intended to be proposed by her to the bill, S. 1593, supra; as follows:

Strike sections 201, 202, and 203 of the matter proposed to be inserted and insert the following:

Subtitle A—Electioneering Communications

SEC. 200. DISCLOSURE OF ELECTIONEERING COMMUNICATIONS.

Section 304 of the Federal Election Campaign Act of 1971 (2 U.S.C. 434) is amended by adding at the end the following new subsection:

''(d) ADDITIONAL STATEMENTS ON ELECTIONEERING COMMUNICATIONS.—

''(1) STATEMENT REQUIRED.—Every person who makes a disbursement for electioneering communications in an aggregate amount in excess of $10,000 during any calendar year shall, within 24 hours of each disclosure date, file with the Commission a statement containing the information described in paragraph (2).

''(2) CONTENTS OF STATEMENT.—Each statement required to be filed under this subsection shall be made under penalty of perjury and shall contain the following information:

''(A) The identification of the person making the disbursement, of any entity sharing or exercising direction or control over the activities of such person, and of the custodian of the books and accounts of the person making the disbursement.

''(B) The State of incorporation and the principal place of business of the person making the disbursement.

''(C) The amount of each disbursement during the period covered by the statement and the identification of the person to whom the disbursement was made.

''(D) The elections to which the electioneering communications pertain and the names (if known) of the candidates identified or to be identified.

''(E) If the disbursements were paid out of a segregated account to which only individuals could contribute, the names and addresses of all contributors who contributed an aggregate amount of $500 or more to that account during the period beginning on the first day of the preceding calendar year and ending on the disclosure date.

''(F) If the disbursements were paid out of funds not described in subparagraph (E), the names and addresses of all contributors who contributed an aggregate amount of $500 or more to the organization or any related entity during the period beginning on the first day of the preceding calendar year and ending on the disclosure date.

''(G) Whether or not any electioneering communication is made in coordination, cooperation, consultation, or concert with, or at the request or suggestion of, any candidate or any authorized committee, any political party or committee, or any agent of the candidate, political party, or committee and if so, the identification of any candidate, party, committee, or agent involved.

''(3) ELECTIONEERING COMMUNICATION.—For purposes of this subsection—

''(A) IN GENERAL.—The term 'electioneering communication'' means any broadcast from a television or radio broadcast station which—

''(i) refers to a clearly identified candidate for Federal office;

''(ii) is made (or scheduled to be made) within—

''(I) 60 days before a general, special, or runoff election for such Federal office, or

''(II) 30 days before a primary or preference election, or a convention or caucus of a political party that has authority to nominate a candidate, for such Federal office, and

''(iii) is broadcast from a television or radio broadcast station whose audience includes the electorate for such election, convention, or caucus.

''(B) EXCEPTIONS.—Such term shall not include—

''(i) communications appearing in a news story, commentary, or editorial distributed through the facilities of any broadcasting station, unless such facilities are owned or controlled by any political party, political committee, or candidate, or

''(ii) communications which constitute expenditures or independent expenditures under this Act.

''(4) DISCLOSURE DATE.—For purposes of this subsection, the term 'disclosure date' means—

''(A) the first date during any calendar year by which a person has made disbursements for electioneering communications aggregating in excess of $10,000, and

''(B) any other date during such calendar year by which a person has made disbursements for electioneering communications aggregating in excess of $10,000 since the most recent disclosure date for such calendar year.

''(5) CONTRACTS TO DISBURSE.—For purposes of this subsection, a person shall be treated as having made a disbursement if the person has contracted to make the disbursement.

''(6) COORDINATION WITH OTHER REQUIREMENTS.—Any requirement to report under this subsection shall be in addition to any other reporting requirement under this Act.''

SEC. 200A. COORDINATED COMMUNICATIONS AS CONTRIBUTIONS.

Section 315(a)(7)(B) of the Federal Election Campaign Act of 1971 (2 U.S.C. 441a(a)(7)(B)) is amended by inserting after clause (ii) the following new clause:

''(iii) if—

''(I) any person makes, or contracts to make, any payment for any electioneering communication (within the meaning of section 304(d)(3)), and

''(II) such payment is coordinated with a candidate for Federal office or an authorized committee of such candidate, a Federal, State, or local political party or committee thereof, or an agent or official of any such candidate, party, or committee,

such payment or contracting shall be treated as a contribution to such candidate and as an expenditure by such candidate; and''.

SEC. 200B. PROHIBITION OF CORPORATE AND LABOR DISBURSEMENTS FOR ELECTIONEERING COMMUNICATIONS.

(a) IN GENERAL.—Section 316(b)(2) of the Federal Election Campaign Act of 1971 (2 U.S.C. 441b(b)(2)) is amended by inserting ''or for any applicable electioneering communication'' before '', but shall not include''.

(b) APPLICABLE ELECTIONEERING COMMUNICATION.—Section 316 of such Act is amended by adding at the end the following new subsection:

''(c) RULES RELATING TO ELECTIONEERING COMMUNICATIONS.—

''(1) APPLICABLE ELECTIONEERING COMMUNICATION.—For purposes of this section, the term 'applicable electioneering communication' means an electioneering communication (within the meaning of section 304(d)(3)) which is made by—

''(A) any entity to which subsection (a) applies other than a section 501(c)(4) organization, or

''(B) a section 501(c)(4) organization from amounts derived from the conduct of a trade or business or from an entity described in subparagraph (A).

''(2) SPECIAL OPERATING RULES.—For purposes of paragraph (1), the following rules shall apply:

''(A) An electioneering communication shall be treated as made by an entity described in paragraph (1)(A) if—

''(i) the entity described in paragraph (1)(A) directly or indirectly disburses any amount for any of the costs of the communication; or

''(ii) any amount is disbursed for the communication by a corporation or organization or a State or local political party or committee thereof that receives anything of value from the entity described in paragraph (1)(A), except that this clause shall not apply to any communication the costs of which are defrayed entirely out of a segregated account to which only individuals can contribute.

''(B) A section 501(c)(4) organization that derives amounts from business activities or from any entity described in paragraph (1)(A) shall be considered to have paid for any communication out of such amounts unless such organization paid for the communication out of a segregated account to which only individuals can contribute.

''(3) DEFINITIONS AND RULES.—For purposes of this subsection—

''(A) the term 'section 501(c)(4) organization' means—

''(i) an organization described in section 501(c)(4) of the Internal Revenue Code of 1986 and exempt from taxation under section 501(a) of such Code; or

''(ii) an organization which has submitted an application to the Internal Revenue Service for determination of its status as an organization described in clause (i); and

''(B) a person shall be treated as having made a disbursement if the person has contracted to make the disbursement.

''(4) COORDINATION WITH INTERNAL REVENUE CODE.—Nothing in this subsection shall be construed to authorize an organization exempt from taxation under section 501(a) of the Internal Revenue Code of 1986 from carrying out any activity which is prohibited under such Code.''

Subtitle B—Independent and Coordinated Expenditures

SEC. 201. DEFINITION OF INDEPENDENT EXPENDITURE

Section 301 of the Federal Election Campaign Act (2 U.S.C. 431) is amended by striking paragraph (17) and inserting the following:

''(17) INDEPENDENT EXPENDITURE.—The term ''independent expenditure' means an expenditure by a person—

(A) for a communication that is express advocacy; and

(B) that is not coordinated activity or is not provided in coordination with a candidate or a candidate's agent or a person who is coordinating with a candidate or a candidate's agent.''.

WELLSTONE AMENDMENT NO. 2306

Mr. WELLSTONE proposed an amendment to the bill, S. 593, supra; as follows:

At the end of the language proposed to be stricken, add the following:

SEC. . STATE PROVIDED VOLUNTARY PUBLIC FINANCING.

Section 403 of the Federal Election Campaign Act of 1971 (2 U.S.C. 453) is amended by adding at the end the following: ''The preceding sentence shall not be interpreted to prohibit a State from enacting a voluntary public financing system which applies to a candidate for election to Federal office, other than the office of President or Vice-President, from such State who agrees to limit acceptance of contributions, use of personal funds, and the making of expenditures in connection with the election in exchange for full or partial public financing from a State fund with respect to the election, except that such system shall not allow any person to take any action in violation of the provisions of this Act.''.

HAGEL (AND OTHERS) AMENDMENT NO. 2307

(Ordered to lie on the table.)

Mr. HAGEL (for himself, Mr. ABRAHAM, Mr. DEWINE, Mr. GORTON, and Mr. THOMAS) submitted an amendment intended to be proposed by them to the bill, S. 1593, supra; as follows:

Strike all after the enacting clause and insert the following:

TITLE I—DISCLOSURE

SEC. 101. ADDITIONAL MONTHLY AND QUARTERLY DISCLOSURE REPORTS.

(a) PRINCIPAL CAMPAIGN COMMITTEES.—

(1) MONTHLY REPORTS.—Section 304(a)(2)(A) of the Federal Election Campaign Act of 1971 (2 U.S.C. 434(a)(2)(A)) is amended by striking clause (iii) and inserting the following:

''(iii) additional monthly reports, which shall be filed not later than the 20th day after the last day of the month and shall be complete as of the last day of the month, except that monthly reports shall not be required under this clause in November and December and a year end report shall be filed not later than January 31 of the following calendar year.''.

(2) QUARTERLY REPORTS.—Section 304(a)(2)(B) of such Act is amended by striking ''the following reports'' and all that follows through the period and inserting ''the treasurer shall file quarterly reports, which shall be filed not later than the 15th day after the last day of each calendar quarter, and which shall be complete as of the last day of each calendar quarter, except that the report for the quarter ending December 31 shall be filed not later than January 31 of the following calendar year.''.

(b) NATIONAL COMMITTEE OF A POLITICAL PARTY.—Section 304(a)(4) of the Federal Election Campaign Act of 1971 (2 U.S.C. 434(a)(4)) is amended by adding at the end the following flush sentence: ''Notwithstanding the preceding sentence, a national committee of a political party shall file the reports required under subparagraph (B).''.

(c) CONFORMING AMENDMENTS.—

(1) SECTION 304.—Section 304(a) of the Federal Election Campaign Act of 1971 (2 U.S.C. 434(a)) is amended—

(A) in paragraph (3)(A)(ii), by striking ''quarterly reports'' and inserting ''monthly reports''; and

(B) in paragraph (8), by striking ''quarterly report under paragraph (2)(A)(iii) or paragraph (4)(A)(i)'' and inserting ''monthly report under paragraph (2)(A)(iii) or paragraph (4)(A)''.

(2) SECTION 309.—Section 309(b) of the Federal Election Campaign Act of 1971 (2 U.S.C. 437g(b)) by striking ''calendar quarter'' and inserting ''month''.

SEC. 102. REPORTING BY NATIONAL POLITICAL PARTY COMMITTEES.

Section 304 of the Federal Election Campaign Act of 1971 (2 U.S.C. 434) is amended by adding at the end the following:

''(d) POLITICAL COMMITTEES.—

''(1) NATIONAL AND CONGRESSIONAL POLITICAL COMMITTEES.—The national committee of a political party, any national congressional campaign committee of a political party, and any subordinate committee of either, shall report all receipts and disbursements during the reporting period.

''(2) ITEMIZATION.—If a political committee has receipts or disbursements to which this subsection applies from any person aggregating in excess of $200 for any calendar year, the political committee shall separately itemize its reporting for such person in the same manner as required in paragraphs (3)(A), (5), and (6) of subsection (b).

''(3) REPORTING PERIODS.—Reports required to be filed under this subsection shall be filed for the same time periods required for political committees under subsection (a).''.

SEC. 103. INCREASED ELECTRONIC DISCLOSURE.

Section 304 of the Federal Election Campaign Act of 1971 (2 U.S.C. 434), as amended by section 102, is amended by adding at the end the following:

''(e) INTERNET AVAILABILITY.—The Commission shall make the information contained in the reports submitted under this section available on the Internet and publicly available at the offices of the Commission as soon as practicable (but in no case later than 24 hours) after the information is received by the Commission.''.

SEC. 104. PUBLIC ACCESS TO BROADCASTING RECORDS.

Section 315 of the Communications Act of 1934 (47 U.S.C. 315) is amended by redesignating subsections (c) and (d) as subsections (d) and (e), respectively, and inserting after subsection (b) the following:

''(c) POLITICAL RECORD.—

''(1) IN GENERAL.—A licensee shall maintain, and make available for public inspection, a complete record of a request to purchase broadcast time that—

''(A) is made by or on behalf of a legally qualified candidate for public office; or

''(B) communicates a message relating to any political matter of national importance, including—

''(i) a legally qualified candidate;

''(ii) any election to Federal office; or

''(iii) a national legislative issue of public importance.

''(2) CONTENTS OF RECORD.—A record maintained under paragraph (1) shall contain information regarding—

''(A) whether the request to purchase broadcast time is accepted or rejected by the licensee;

''(B) the rate charged for the broadcast time;

''(D) the date and time that the communication is aired;

''(E) the class of time that is purchased;

''(F) the name of the candidate to which the communication refers and the office to which the candidate is seeking election, the election to which the communication refers, or the issue to which the communication refers (as applicable);

''(G) in the case of a request made by, or on behalf of, a candidate, the name of the candidate, the authorized committee of the candidate, and the treasurer of such committee; and

''(H) in the case of any other request, the name of the person purchasing the time, the name, address, and phone number of a contact person for such person, and a list of the chief executive officers or members of the executive committee or of the board of directors of such person.

''(3) TIME TO MAINTAIN FILE.—The information required under this subsection shall be placed in a political file as soon as possible and shall be retained by the licensee for a period of not less than 2 years.''.

TITLE II—SOFT MONEY OF NATIONAL POLITICAL PARTIES AND CONTRIBUTION LIMITS

SEC. 201. LIMIT ON SOFT MONEY OF NATIONAL POLITICAL PARTY COMMITTEES.

Title III of the Federal Election Campaign Act of 1971 (2 U.S.C. 431 et seq.) is amended by adding at the end the following:

''SEC. 324. LIMIT ON SOFT MONEY OF NATIONAL POLITICAL PARTY COMMITTEES.

''(a) LIMITATION.—A national committee of a political party, a congressional campaign committee of a national party, or an entity directly or indirectly established, financed, maintained, or controlled by such committee shall not accept a donation, gift, or transfer of funds of any kind (not including transfers from other committees of the political party or contributions), during a calendar year, from a person (including a person directly or indirectly established, financed, maintained, or controlled by such person) in an aggregate amount in excess of $60,000.

''(b) INDEXING.—In the case of any calendar year after 1999—

''(1) the $60,000 amount under subsection (a) shall be increased based on the increase in the price index determined under section 315(c), except that the base period shall be calendar year 1999; and

''(2) the amount so increased shall be the amount in effect for the calendar year.''.

SEC. 202. JUDICIAL REVIEW.

(a) EXPEDITED REVIEW.—Any Member of Congress, candidate, national committee of a political party, or any person adversely affected by section 324 of the Federal Election Campaign Act of 1971, as added by section 201, may bring an action, in the United States District Court for the District of Columbia, for declaratory judgment and injunctive relief on the ground that such section 324 violates the Constitution.

(b) APPEAL TO SUPREME COURT.—Notwithstanding any other provision of law, any order of the United States District Court for the District of Columbia granting or denying an injunction regarding, or finally disposing of, an action brought under subsection (a) shall be reviewable by appeal directly to the Supreme Court of the United States. Any such appeal shall be taken by a notice of appeal filed within 10 calendar days after such order is entered; and the jurisdictional statement shall be filed within 30 calendar days after such order is entered.

(c) EXPEDITED CONSIDERATION.—It shall be the duty of the District Court for the District of Columbia and the Supreme Court of the United States to advance on the docket and to expedite to the greatest possible extent the disposition of any matter brought under subsection (a).

(d) ENFORCEABILITY.—The enforcement of any provision of section 324 of the Federal Election Campaign Act of 1971, as added by section 201, shall be stayed, and such section 324 shall not be effective, for the period—

(1) beginning on the date of the filing of an action under subsection (a), and

(2) ending on the date of the final disposition of such action on its merits by the Supreme Court of the United States.

(e) APPLICABILITY.—This section shall apply only with respect to any action filed under subsection (a) not later than 30 days after the effective date of this Act.

SEC. 203. INCREASE IN CONTRIBUTION LIMITS.

(a) INCREASE IN INDIVIDUAL AND POLITICAL COMMITTEE CONTRIBUTION LIMITS.—Section 315(a) of the Federal Election Campaign Act of 1971 (2 U.S.C. 441a(a)) is amended—

(1) in paragraph (1)—

(A) in subparagraph (A), by striking ''$1,000'' and inserting ''$3,000'';

(B) in subparagraph (B), by striking ''$20,000'' and inserting ''$60,000''; and

(C) in subparagraph (C), by striking ''$5,000'' and inserting ''$15,000''; and

(2) in paragraph (3)—

(A) by striking ''$25,000'' and inserting ''$75,000''; and

(B) by striking the second sentence.

(b) INCREASE IN MULTICANDIDATE LIMITS.—Section 315(a)(2) of the Federal Election Campaign Act of 1971 (2 U.S.C. 441a(a)(2)) is amended—

(1) in subparagraph (A), by striking ''$5,000'' and inserting ''$7,500'';

(2) in subparagraph (B), by striking ''$15,000'' and inserting ''$30,000''; and

(3) in subparagraph (C), by striking ''$5,000'' and inserting ''$7,500''.

(c) INDEXING.—Section 315(c) of the Federal Election Campaign Act of 1971 (2 U.S.C. 441a(c)) is amended—

(1) in paragraph (1)—

(A) by striking the second and third sentences;

(B) by inserting ''(A)'' before ''At the beginning''; and

(C) by adding at the end the following:

''(B) Except as provided in subparagraph (C), in any calendar year after 2000—

''(i) a limitation established by subsection (a), (b), or (d) shall be increased by the percent difference determined under subparagraph (A); and

''(ii) each amount so increased shall remain in effect for the calendar year.

''(C) In the case of limitations under paragraphs (1)(A) and (2)(A) of subsection (a), each amount increased under subparagraph (B) shall remain in effect for the 2-year period beginning on the first day following the date of the last general election in the year preceding the year in which the amount is increased and ending on the date of the next general election.''; and

(2) in paragraph (2)(B), by striking ''means the calendar year 1974'' and inserting ''means—

''(i) for purposes of subsections (b) and (d), calendar year 1974; and

''(ii) for purposes of subsection (a), calendar year 2000''.

(d) EFFECTIVE DATE.—The amendments made by this section shall apply to calendar years beginning after December 31, 1999.

TITLE III—MISCELLANEOUS PROVISIONS

SEC. 301. PROHIBITION OF SOLICITATION OF POLITICAL PARTY SOFT MONEY IN FEDERAL BUILDINGS.

(a) IN GENERAL.—Section 607 of title 18, United States Code, is amended—

(1) in subsection (a), by striking ''within the meaning of section 301(8) of the Federal Election Campaign Act of 1971''; and

(2) by adding at the end the following:

''(c) DEFINITION OF CONTRIBUTION.—In this section, the term 'contribution' means a gift, subscription, loan, advance, or deposit of money or anything of value made by any person in connection with—

''(1) any election or elections for Federal office;

''(2) any political committee (as defined in section 301 of the Federal Election Campaign Act of 1971); or

''(3) any State, district, or local committee of a political party.''.

(b) AMENDMENT OF TITLE 18 TO INCLUDE PROHIBITION OF DONATIONS.—Section 602(a)(4) of title 18, United States Code, is amended by striking ''within the meaning of section 301(8)'' and inserting ''(as defined in section 607(c))''.

SEC. 302. UPDATE OF PENALTY AMOUNTS.

Section 309 of the Federal Election Campaign Act of 1971 (2 U.S.C. 437g) is amended by adding at the end the following:

''(e) ADJUSTMENT OF DOLLAR AMOUNTS FOR INFLATION.—In the case of any calendar year after 1999—

''(1) each dollar amount under this section shall be increased based on the increase in the price index determined under section 315(c); and

''(2) each amount so increased shall be the amount in effect for the calendar year.

The preceding sentence shall not apply to any amount under subsection (d) other than the $25,000 amount under paragraph (1)(A) of such subsection.''.

NOTICE OF HEARING

SUBCOMMITTEE ON WATER AND POWER

Mr. SMITH of Oregon. Mr. President, I would like to announce that on Thursday, October 28th, the Subcommittee on Water and Power of the Committee on Energy and Natural Resources will hold an oversight hearing on the Federal hydroelectric licensing process. The hearing will be held at 2:30 p.m. in room 366 of the Dirksen Senate Office Building in Washington, D.C.

For further information, please call Kristin Phillips or Howard Useem, at (202) 224–7875.

AUTHORITY FOR COMMITTEE TO MEET

SPECIAL COMMITTEE ON THE YEAR 2000 TECHNOLOGY PROBLEM

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the Special Committee on the Year 2000 Technology Problem be permitted to meet on October 18, 1999, at 9:30 a.m. for the purpose of conducting a hearing.

The PRESIDING OFFICER. Without objection, it is so ordered.

ADDITIONAL STATEMENTS

CENTENNIAL OF CATHOLIC CHARITIES OF THE BROOKLYN-QUEENS DIOCESE

• Mr. MOYNIHAN. Mr. President, This year marks the centennial of Catholic Charities of the Brooklyn-Queens Diocese, the largest Roman Catholic human services agency in the nation. Perhaps on earth. The New York Times had the happy thought to mark the occasion with a profile of Bishop Joseph M. Sullivan, the vicar of the diocese, who heads Catholic Charities. The warmth and wisdom of this great churchman comes through so clearly, so forcefully. As Yeats once wrote of such a man, ''he was blessed and had the power to bless.'' I have treasured his friendship, and share his fears as to the fate of New York's poor when they begin to fall off the five-year cliff created by the so-called Welfare Reform Act of 1996. We would do well to contemplate the fact that the only major social legislation of the 1990s was the abolition of Aid to Families of Dependent Children, a provision of the great Social Security Act of 1935. We could care for children in the midst of the Great Depression of the 1930s, but somehow not in the midst of the great prosperity of the 1990s. I spoke at length about the gamble we were taking when the legislation was before us. I hope I was wrong. But if Joe Sullivan is worried I think we all should be. I know we all should be.

I ask that the story from The Times be included in the RECORD.

The story follows.

[From the New York Times, Oct. 13, 1999]

NOW PITCHING FOR THE ROME TEAM, IT'S BISHOP SULLIVAN

(By Randy Kennedy)

''The year was 1948 and a guy says to me, 'Hey listen, you think you're such a good pitcher, they're having a tryout for the Phillies. So go.' ''

And so Joe Sullivan of Bay Ridge, Brooklyn, went. ''And the guy asked me to throw the ball. And I could throw pretty hard. And I could throw a fairly decent curve.''

One thing leads to another ''and they wanted to sign me.''

If this were the made-for-television version of the life of Bishop Joseph M. Sullivan, this is where the big turning point would come: he chooses God over baseball. He gives up a brilliant pitching career to go to bat for the souls of men.

But as it turns out, Bishop Sullivan never really liked the baseball life that much anyway. ''It was essentially a boring life,'' he remembers of his one summer canvassing the South in a beaten-up bus and throwing for the Americus Phillies in Georgia. ''You played all night ball in the minor leagues, and you'd kind of lounge around most of the rest of the time.''

He had always loved the church, however. He was a standout in the choir. He missed being an altar boy only because he was much too proud to stoop to asking Sister Blanche, the nun who made the recommendations. (''Quite bluntly, I felt I wasn't going to kiss . . . you know . . . you know?) But even as a young boy and through high school, he almost never missed a daily Mass at St. Ephrem's. ''I mean,'' he said, ''I bought Catholicism as a young kid. I really believed.''

So the real turning point in his life, one not of his making, came much later, after he had spent four years at seminary and three years as the pastor of his first parish, Our Lady of Lourdes in Queens Village. The bishop needed social workers.

''I got a call on a Tuesday night to see him Wednesday morning. And I was registered for graduate school in social work by Thursday morning. I didn't know what a social worker was.''

He adds: ''When I went to school and they asked me, 'Why did you choose social work?' I said, 'Because the bishop appointed me.' The social work people's reaction to that was that I was hostile. I said, 'Well, it's the truth. I don't know whether it's hostile or not.'

''So then they asked me if I wanted to be a social worker. And the answer was, 'No!' ''

He pauses for a little dramatic effect. ''Best thing that ever happened to me.''

Yesterday, Bishop Sullivan, an imposing, tough-talking, immensely friendly man, was sitting in a makeshift television studio in Bishop Ford High School in Brooklyn. He was preparing for a live cable show in which he would talk about the centennial, this

month, of Catholic Charities of the Brooklyn-Queens Diocese, now the largest Roman Catholic human-services agency in the country, covering America's most populous diocese.

Despite not knowing what a social worker was back then, Bishop Sullivan has devoted 38 years of his life to the job, serving in welfare offices and hospitals, rising to direct the charities and now serving as vicar for human services, overseeing the charities' vast operations with their director, Frank DeStafano. (Mr. Stefano couldn't resist a dig at the boss yesterday as a reporter sat down: ''Not the baseball thing again. He was only on the team for three days! Myself, I was always dedicated to the poor. No time for any kind of fund like that.'')

Bishop Sullivan's message to the cable audience yesterday was that he could hope for nothing better during the next 100 years of Catholic charity work than for one message to be hammered home: ''To be a practicing Catholic means to be involved in the lives of others.''

But as he relaxed after the show he had another, angrier message not about personal but about public responsibility: welfare reform. He complained that too few people are talking about its effects now, which he says have hurt the poor in Brooklyn and Queens as much as anything he has seen in three decades of tumultuous change in the boroughs.

''I agree,'' he said, ''that it had to be reformed, and I agree that there had to be a change in the culture that work must be more important than relief. But I radically disagree with the way it was done.''

Four years ago, he and another bishop managed to wangle an hour and 15 minutes in the Oval Office with President Clinton, to try to talk him out of signing the welfare reform legislation. Mr. Clinton said he understood them. Then he signed the measure anyway.

''But I will tell you,'' he said, his face coloring, ''that I think most of what is being said about the success of these programs is hype including here in this city. To me it's a sham. You look at the food lines at Catholic Charities. You look at the food lines at parishes. You look at the people trying to pay their rents.''

He added: ''They haven't heard the last of this. We're only into the third year, and the reality is that there will always be dependent people who can't work.''

As he socked on a snap-brim hat to run out and give a speech about health care, he was asked whether it ever disheartens him—approaching his 70th year, his 44th as a priest, and nearly as long as a social worker—that there are still so many people suffering.

''It might not make any sense but it doesn't,'' he said. ''I really think this job as heaven on . . . way to heaven. It doesn't come in the end. It begins here.''●

THE ''LEOPOLDVILLE'' DISASTER

● Mr. DORGAN. Mr. President, in a few days a small group of veterans will gather at Fort Benning, Georgia to commemorate one of the least known tragedies of World War II.

On Christmas Eve 1944, the Belgian troopship *Leopoldville* was transporting 2,235 American soldiers from the 262nd and 264th Regiments of the 66th Infantry Division across the English Channel. They were destined as reinforcements for units fighting the Battle of the Bulge. Many soldiers on board were singing Christmas carols as they watched the lights along the coast of liberated France.

The ship was designed to carry fewer than half the number on board, and the Belgian crew did not speak English. Reportedly, many of the American soldiers were not issued life jackets. Just five miles from its destination of Cherbourg, France, the *Leopoldville* was struck by torpedos from the German submarine U–486. Two and a half hours later, the ship capsized and sank. According to many survivors, the crew abandoned ship in the lifeboats and left the American soldiers to fend for themselves. Unable to free the ship's life rafts, many of the troops jumped to their deaths in the frigid heavy seas. The British destroyed HMS *Brilliant* saved some 500 troops. However, because it was Christmas Eve, no one else seemed to be around to help. By the next day, Christmas morning, 763 American soldiers were dead, including three sets of brothers. The dead represented 47 of the then 48 states.

Mr. President, seven of the victims were from my home state of North Dakota. Among them was my uncle, Pfc. Allan J. Dorgan. His body was never recovered, and neither were the bodies of 492 other soldiers who died in the incident. It was weeks before my family and the families of other victims heard the fateful knock on the door and were given the telegram that said their sons, brothers, uncles, or fathers were ''missing in action in the European Area.'' It took months more before a second telegram informed them their loved ones had been ''killed in action in the European Area.''

Due to wartime censorship, the disaster was not reported to the news media. Survivors were told by the British and American governments to keep quiet about what happened. American authorities did not even acknowledge the sinking of the *Leopoldville* until two weeks after it went down. Later, after the war, the tragedy was considered an embarrassment and all reports were filed away as secret by the Allied governments. Some say that the American and British governments conspired to cover-up the incompetence involved in the incident. For whatever reason, details of the disaster were withheld from the public for over fifty years. Some of the victims' families never learned the truth about how their loved ones perished that night.

For over fifty years, the young soldiers on the *Leopoldville* were denied their due, and never accorded the honors and respect they deserved. Finally, a few years ago, thanks to the efforts of *Leopoldville* survivor Vincent Codianni, former New York City police investigator Alan Andrade who wrote a book about the incident, and the Veterans Memorial Committee of Waterbury, Connecticut, the U.S. Army agreed to provide a site for a monument to the tragedy.

The Leopoldville Disaster Monument was dedicated on November 7, 1997 at Fort Benning, the ''Home of the Infantry.'' On the monument, the names and hometowns of those members of the 66th Infantry Division who lost their lives on the *Leopoldville* and the names of those who survived the tragedy, but were later killed in action, are etched in stone. This was the first official recognition shown to any of the victims or their families. It was long overdue.

It is almost 55 years since the sinking of the *Leopoldville*. When the survivors and their families gather again this week in Georgia, they will honor their comrades who have passed away since their first reunion two years ago. I hope all my colleagues will join me in expressing our appreciation for their courage and for the ultimate sacrifice they made for freedom.●

HONORING 150 YEARS OF CONGREGATION B'NAI ISRAEL

● Mrs. BOXER. Mr. President, today I wish to recognize Congregation B'nai Israel in Sacramento, California, and to celebrate its 150th year of vitality and service to the Sacramento community.

Congregation B'nai Israel was founded in 1849 by Moses Hyman and Albert Priest. At the time, Gold rush-era optimism was everywhere in northern California, attracting opportunity seekers from as far as eastern Europe, the home to millions of Jews desperate to escape violent pogroms and rampant anti-Semitism. With his profound ability to organize people and his unrelenting desire to help the destitute, Moses Hyman began his congregation in his home, and soon became known as a pioneer of California Judaism and father of Temple B'nai Israel.

Moses Hyman, a major community philanthropist, also founded the Hebrew Benevolent Society, which assisted the sick and poor, especially during the Sacramento flood of 1850. Following that devastating disaster, Hyman purchased burial land and a nearby house of worship from a Methodist Episcopal church. Moses Hyman and Albert Priest named their new congregation B'nai Israel, which translated into English, means ''Children of Israel.'' The rebuilt temple officially opened on September 2, 1852 as the first member-owned synagogue west of the Mississippi.

Congregation B'nai Israel has suffered through many hardships. After only a decade in existence, its synagogue was destroyed by fire, and only a year later, winter floods severely damaged cemetery grounds. The congregation was tested repeatedly. They mourned but then regrouped and rebuilt, emerging stronger than before.

By the mid-1900s, the congregation outgrew its existing facilities and launched a major effort to build a new synagogue. Thanks to the generosity of congregants, its capital campaign was a huge success. In addition to a new synagogue, the congregation added an education wing, later named after Buddy Kandel, in the early 1960s.

Congregation B'nai Israel continued to grow. The year 1986 marked additional milestones for what had become a community institution. In that year, the congregation began construction of the Harry M. Tonkin Memorial Chapel and the Sosnick Library. The muchneeded addition not only led to a change in place of worship, but also an ideological change for the B'nai Israel. Tikkun Olam, the Jewish belief in repairing the world through good deeds and social action became a new found interest of the congregation, pushing further their desire to help others in the Sacramento area.

Members of Congregation B'nai Israel had suffered through tremendous hardship in their history, but nothing could prepare them for the events of June 18, 1999, when a fire bomber motivated by anti-Semitic hatred destroyed their library and severely damaged the sanctuary and administration building. In an inspiring gesture of solidarity, the entire Sacramento community joined with the congregation and collectively vowed not to let violence tear Sacramento apart.

In a historic event less than three days after the bombing, more than 4,000 Sacramento residents joined congregation leaders at a unity rally to protest religious and ethnic violence. Former president of the Interfaith Service Bureau, Rabbi Bloom, called for the creation of a museum of tolerance to battle against the tide of hatred.

Mr. President, despite all kinds of adversity, Congregation B'nai Israel has survived for 150 years and has grown into a vital and beloved community institution. I send my congratulations and personal thanks for all it has done to help a diverse community find common ground in the Sacramento area.●

TRIBUTE TO CALEB SHIELDS

● Mr. BAUCUS. Mr. President, I rise today to pay tribute to Caleb Shields, retired Chairman and current Councilman of the Assiniboine and Sioux Tribes of the Fort Peck Reservation in Montana. Caleb is retiring from his elected position with the Tribe, after twenty-four years of elected service. For those of you who don't know Caleb, I am sorry that you did not have an opportunity to meet this remarkable man during his many visits to discuss the myriad of issues facing Native American people. He has a strength of character and honor about him that you could not help but recognize and admire instantly when you met him.

Caleb's tenure of twenty-four years on the Board is truly a testament to his leadership and his character. As we all know, very few politicians can have a career that spans twenty-four years and even fewer can do it with the grace and dedication that Caleb has. It has been an honor to work with Caleb on the many issues that we have worked on together. His commitment and dedication to improve the lives of not only the Native Americans on the Fort Peck Indian Reservation, but the lives of Native Americans throughout the Nation, are an inspiration to me. He has worked tirelessly to improve the level of funding for Indian health care programs and Native American education programs. He has stood in the Halls of Congress, often in the face of severe opposition, defending the governmental and sovereign rights of tribes. He has stood up to the federal government when the federal government has failed in its obligation to the tribes of this country. Significantly, he did all of this without ever making an enemy and without ever treating any person with disrespect. We can all stand to learn something from this man who while he had many battles, he never made any enemies.

I will miss my friend's visits to Washington, but I will mostly miss his advice on the Native American issues. Native American Country is losing a great leader, but I am sure that the basketball teams in Poplar are regaining a loyal fan. I understand that Caleb hopes to write a book about the history of the Assiniboine and Sioux Tribes from treaty time to modern time. I wish him well in his endeavor and look forward to reading his book.●

At the request of the Senator from Connecticut, Mr. LIEBERMAN, the following statement was ordered to be printed in the RECORD, as follows:

CENTRAL CONNECTICUT STATE UNIVERSITY'S 150TH BIRTHDAY CELEBRATION

● Mr. DODD. Mr. President, it gives me great pleasure to rise today to commemorate the 150th anniversary of the founding the Central Connecticut State University. To stand the test of time, as Central has, an educational institution must respond to the educational needs of its students. At each turn over its notable 150-year history, Central has effectively positioned itself to address the new challenges of the day. While a great deal has changed at Central—and for that matter in the world—over the years, the school's primary concern and motivating goal—educating students—has remained unaltered.

Central Connecticut State University is Connecticut's oldest publicly-supported institution of higher learning and enjoys a rich and colorful legacy. Founded by order of the Connecticut State Legislature on June 22, 1849, the institution, first known as the Normal School, was a two-year teacher training facility. On May 15, 1850, Henry Barnard, the school's first ''principal,'' as he was then called, and a handful of faculty and staff members welcomed the first class of 30 students.

The Normal School was the object of contentious political debate in Hartford and intermittent appropriation cuts during its early years. In fact, the school was closed from 1867 to 1869 due to lack of funding. Yet the school and its supporters persevered. Each passing year brought bigger classes to the Normal School and with them, greater support from the members of the citizenry who understood the vital importance of higher education to their future and the future of the state. As was common at many of the era's institutions of higher learning, the Normal School's student body was overwhelmingly unbalanced in its male to female ratio. Interestingly, however, at the Normal School women, not men, made up the majority of the student body through the late 19th Century. In fact, due to the social norms of the time, which held the teaching of elementary and grade-school children as women's work, men disappeared from the student body at the Normal School for over thirty years—a change that would forever influence the character of the institution. The loss of male students did not stop the expansion of Normal School. Growing beyond the confines of its original building at the corner of Chestnut and Main in New Britain, in 1922 the school moved to the spacious campus it now occupies in the Belvedere section of New Britain.

The institution began to blossom academically in 1933 when it started to offer four-year baccalaureate degrees, changing its name to the Teachers College of Connecticut. The expansion of academic offerings drew men back to the college during the 1930s. Following World War II, the Teachers College of Connecticut, like many academic institutions, experienced remarkable growth and expansion. That growth led the State Legislature to grant the college the right to confer liberal arts degrees and to rename the institution the Central Connecticut State College in 1959. As the needs of its students have continued to change and expand in more recent times, so too has Central. In 1983, Central began offering graduate degrees and evolved into its present form—Central Connecticut State University.

With an enrollment of nearly 12,000 graduate and undergraduate students, Central is the largest of the four Universities within the Connecticut State System. With 80 programs of study, 38 departments and 5 individual schools dedicated to disciplines across the spectrum of learning, Central Connecticut State University has emerged as one of the premier regional universities in New England.

Always on the forefront of educational trends, Central recognized the lack of emphasis placed on the historical role of women and drew upon the significant role played by women in its own development to become one of the first schools in the Nation to build, in 1977, a Women's Center. The Center, which has become a highly respected credit to the university, offers a number of services for and about women

and has become a model for universities around the country. In 1990, Central became the first school in Connecticut to offer an accredited Computer Science degree, helping to prepare Connecticut students for the Information Age. Its Robert C. Vance Distinguished Lecturer Program has drawn United States Presidents and renowned leaders from around the globe to speak in New Britain. It is clear, that through these special programs, as well as others, Central Connecticut State University provides its students with a valuable educational opportunity and has established itself as one of the Nation's finest regional universities.

So I say again, Mr. President, that I am proud to stand on the floor of the United States Senate to recognize the enduring dedication of Central Connecticut State University to its students, to its state, and to excellence in education. Today, under the adept guidance of President Richard L. Judd and with the effort of so many talented and committed faculty and staff, the university continues to grow and prosper. I believe that Central's unceasing pursuit of excellence will ensure it remains a vital academic institution for many years to come.●

ON THE LIFE OF EDWARD C. BANFIELD

● Mr. MOYNIHAN. Mr. President, Edward C. Banfield has died. This had to come. He was 83. Yet little were those who loved him prepared. Or ready, you might say.

He held, of course, Henry Lee Shattuck Chair in Government at Harvard and, as Richard Bernstein notes in his fine obituary in The Times, was most active in the Joint Center for Urban Studies of M.I.T. and Harvard in the 1960s and 1970s. For part of that time I was chairman of the Joint Center and so came to know him at the peak of his long, comparably brilliant and yet understated career. In 1970, he published The Unheavenly City, which stands to this day as the most salient and, well, heart-wrenching exposition of the intractable nature of so many urban problems. He had been there before. As early as 1955 he wrote, with Martin Meyerson, Politics, Planning and the Public Interest which argued that the near religious zeal for high-rise public housing then current in Chicago, and across the land, would be a disaster. One notes it has taken Chicago the better part of thirty-five years to realize this, and start dynamiting the projects, as they came to be known. Just so was the seminal, The Moral Basis of a Backward Society, a study of a small village in Southern Italy, which he wrote with Laura Fasano-Banfield, his radiantly intelligent wife and companion of sixty-odd years.

Now of course, none of this work was welcome, especially in academe. Not least because it made too much sense to be rejected. James Q. Wilson, once his student, now his heir, got this just right in a memorial that appeared in last week's Weekly Standard entitled ''The Man Who Knew Too Much, Edward C. Banfield, 1916–1999.'' He was onto The Mob, inside The Agency, privy to The Plan. And yet they never got him. He was, as he would say, a ''swamp Yankee,'' a tough breed.

He was also a great teacher, something Robert J. Samuelson writes about so wonderfully well in The Washington Post. Above all he taught his students to pursue the truth, ''no matter how inconvenient, unpopular, unfashionable or discomforting.'' The greatest gift a great teacher can give.

He could be indulgent if the case seemed hopeless. I went to see him at the time I was thinking of running for the Senate. What would he advise? ''Well,'' he said, ''you could do that. Who knows, you might make a good Senator.'' Those words are with me to this moment.

I ask that the obituary from The Times, the article from The Weekly Standard, and the column from The Washington Post be included in the RECORD.

The articles follow.

[From the New York Times, Oct. 8, 1999]

E.C. BANFIELD, 83, MAVERICK ON URBAN POLICY ISSUES, DIES

(By Richard Bernstein)

Edward C. Banfield, a professor emeritus of government at Harvard University whose work on urban policy and the causes of poverty gave him a reputation as a brilliant maverick, died Sept. 30 at his summer home in Vermont. He was 83 and lived in Cambridge, Mass.

Mr. Banfield, born on a farm in Bloomfield, Conn., held Harvard's Henry Lee Shattuck Chair in Government for many years. He was one of the intellectual leaders of the Harvard-Massachusetts Institute of Technology Joint Center for Urban Studies in the 1960's and 70's, when the problems of cities were prominent on the national political agenda.

His books and articles had a sharp contrarian edge. He was a critic of almost every mainstream liberal idea in domestic policy, especially the use of Federal aid to help relieve urban poverty. Mr. Banfield argued that at best Government programs would fail because they aimed at the wrong problems; at worst they would make the problems worse. He fostered generations of graduate students, some of whom became leading figures in American intellectual life. They included James Q. Wilson, who succeeded him in his chair at Harvard, and Christopher DeMuth, president of the American Enterprise Institute in Washington.

Mr. Banfield received his B.A. in English for the University of Connecticut in 1938 and went to work for the United States Forest Service. After jobs with the New Hampshire Farm Bureau and the United States Farm Security Administration in Washington and California, he went to the University of Chicago to work on his doctorate in political science. Chicago at that time, under the influence of figures like Milton Friedman and Leo Strauss, was a bastion of Laissez-faire politics, a cause that Mr. Banfield later promoted in his own work.

He served briefly on the faculty in Chicago, moving to Harvard in 1959. He taught at the University of Pennsylvania before returning to Harvard at the end of his career.

In 1955 Mr. Banfield and Mr. Meyerson collaborated on ''Politics, Planning and the Public Interest,'' which examined Chicago's public housing projects. That book was one of several in which Mr. Banfield found Government programs to be foiled by a law of unintended consequences. In the Chicago case he predicted that creating tall institutional buildings full of small apartments would have the unintended effect of racially isolating the urban poor. A major theme of Mr. Banfield's work on poverty, which was often angrily criticized in liberal circles, is that culture plays a more important role than factors like discrimination or lack of education in impeding a person's economic progress.

Among his most influential books was ''The Moral Basis of a Backward Society,'' a study of a small village in southern Italy, researched in collaboration with his wife, the former Laura Fasano. Mr. Banfield's thesis, summed up in a term he coined, ''amoral familism,'' was that the narrow focus on family relations prevented people from cooperating with those outside the family or village.

He is survived by his wife; a daughter, Laura Banfield Hoguet, a lawyer; a son, Elliott A. Banfield, an illustrator, and four grandchildren.

Mr. Banfield's emphasis on culture as the basic element in poverty drew accusations that he was promoting a ''blame the victim'' attitude. In his 1970 book ''The Unheavenly City,'' and in various papers that he published in the late 60's, he recognized the existence and harm of racism but propounded the view that economic class and not race was the essential ingredient in poverty.

In that book Mr. Banfield constructed a sociological portrait of what he called ''the lower-class individual'' as someone who was very different from the middle-class professionals who sought ways to solve his problems. ''The lower-class individual lives moment to moment,'' he wrote. ''Impulse governs his behavior either because he cannot discipline himself to sacrifice a present for a future satisfaction or because he has no sense of the future. He is therefore radically improvident.''

Mr. Banfield's role as an adviser to President Richard M. Nixon and chairman of his Model Cities Task force gave his published views an extra measure of controversy. During the Reagan Administration he served on a task force seeking ways to increase public support for the arts. But his subsequent book, ''the Democratic Muse: Visual Arts and the Public Interest,'' argued that Federal support of the arts was neither justified by the Constitution nor useful in practice.

''Affording enjoyment to people is not a proper function of organizations serving the common good,'' he wrote in that book.

[From the Weekly Standard, Oct. 18, 1999]

THE MAN WHO KNEW TOO MUCH—EDWARD C. BANFIELD, 1916–1999

(By James Q. Wilson)

In the increasingly dull, narrow, methodologically obscure world of the social sciences, it is hard to find a mind that speaks not only to its students but to its nation. Most scholars can't write, many can't think. Ed Banfield could write and think.

When he died a few days ago, his life gave new meaning to the old saw about being a prophet without honor in your own country. Almost everything he wrote was criticized at the time it appeared for being wrongheaded. In 1955 he and Martin Meyerson published an account of how Chicago built public housing projects in which they explained how mischievous these projects were likely to be: tall, institutional buildings filled with tiny

apartments built in areas that guaranteed racial segregation. All this was to be done on the basis of the federal Housing Act of 1949, which said little about what goals housing was to achieve or why other ways of financing it—housing vouchers, for example—should not be available. This was heresy to the authors of the law and to most right-thinking planners.

Within two decades, high-rise public housing was widely viewed as a huge mistake and efforts were made to create vouchers so that poor families could afford to rent housing in the existing market. Local authorities in St. Louis had dynamited a big housing project there after describing it as a hopeless failure. It is not likely that Ed and Martin's book received much credit for having pointed the way.

In 1958, Ed, with the assistance of his wife, Laura, explained why a backward area in southern Italy was poor. The reason was not government neglect or poor education but culture. In this area of Italy, the Banfields said in The Moral Basis of a Backward Society, people would not cooperate outside the boundaries of their immediate families. These ''amoral familists'' were the product of a high death rate, a defective system for owning land, and the absence of any extended families. By contrast, in a town of about the same size located in an equally forbidding part of southern Utah, the residents published a local newspaper and had a remarkable variety of associates, each busily involved in improving the life of the community. In southern Italy, people would not cooperate; in southern Utah, they scarcely did anything else.

Foreign aid programs ignored this finding and went about persuading other nations to accept large grants to build new projects. Few of these projects created sustained economic growth. Where growth did occur, as in Singapore, Hong Kong, and South Korea, there was little foreign aid and what existed made little difference.

Today, David S. Landes, in his magisterial book that explains why some nations become wealthy while others remain poor, offers a one-word explanation: culture. He is right, but the Banfield book written forty years earlier is not mentioned.

In 1970, Ed published his best-known and most controversial work, The Unheavenly City. In it he argued that the ''urban crisis'' was misunderstood. Many aspects of the so-called crisis, such as congestion or the business flight to the suburbs, are not really problems at all; some that are modest problems, such as transportation, could be managed rather well by putting high peak-hour tolls on key roads and staggering working hours; and many of the greatest problems, such as crime, poverty, and racial injustice, are things that we shall find it exceptionally difficult to manage.

Consider racial injustice. Racism is quite real, though much diminished in recent years, and it has a powerful effect. But the central problem for black Americans is not racism but poverty. And poverty is in part the result of where blacks live and what opportunities confront them. When they live in areas with many unskilled workers and few jobs for unskilled people, they will suffer. When they grow up in families that do not own small businesses, they will find it harder to move into jobs available to them or to meet people who can tell them about jobs elsewhere. That whites treat blacks differently than they treat other whites is obviously true, but ''much of what appears . . . as race prejudice is really class prejudice.''

In 1987 William Julius Wilson, a black scholar, published his widely acclaimed book, The Truly Disadvantaged. In it he says that, while racism remains a powerful force, it cannot explain the plight of inner-city blacks. The problem is poverty—social class—and that poverty flows from the material conditions of black neighborhoods. Banfield's book is mentioned in Wilson's bibliography, but his argument is mentioned only in passing.

Both Wilson and Banfield explain the core urban problems as ones that flow from social class. To Wilson, an ''underclass'' has emerged, made up of people who lack skills, experience long-term unemployment, engage in street crime, and are part of families with prolonged welfare dependency. Banfield would have agreed. But to Wilson, the underclass suffers from a shortage of jobs and available fathers, while for Banfield it suffers from a defective culture.

Wilson argued that changing the economic condition of underclass blacks would change their underclass culture; Banfield argued that unless the underclass culture was first changed (and he doubted much could be done in that regard), the economic condition of poor blacks would not improve. The central urban problem of modern America is to discover which theory is correct.

Banfield had some ideas to help address the culture (though he thought no government would adopt them): Keep the unemployment rate low, repeal minimum-wage laws, lower the school-leaving age, provide a negative income tax (that is, a cash benefit) to the ''competent poor,'' supply intensive birth-control guidance to the ''incompetent poor,'' and pay problem families to send their children to decent day-care programs.

The Unheavenly City sold well but was bitterly attacked by academics and book reviewers; Wilson's book was widely praised by the same critics. But on the central facts, both books say the same thing, and on the unknown facts—What will work?—neither book can (of necessity) offer much evidence.

Ed Banfield's work would probably have benefited from a quality he was incapable of supplying. If it had been written in the dreary style of modern sociology or, worse, if he had produced articles filled with game-theoretic models and endless regression equations, he might have been taken more seriously. But Ed was a journalist before he was a scholar, and his commitment to clear, forceful writing was unshakable.

He was more than a clear writer with a Ph.D.; everything he wrote was embedded in a powerful theoretical overview of the subject. ''Theory,'' to him, meant clarifying how people can think about a difficulty, and the theories he produced—on social planning, political influence, economic backwardness, and urban problems—are short masterpieces of incisive prose.

His remarkable mind was deeply rooted in Western philosophy as well as social science. To read his books is to be carried along by extraordinary prose in which you learn about David Hume and John Stuart Mill as well as about pressing human issues. To him, the central human problem was cooperation: How can society induce people to work together in informal groups—Edmund Burke's ''little platoon''—to manage their common problems? No one has ever thought through this issue more lucidly, and hence no one I can think of has done more to illuminate the human condition of the modern world.

A few months ago, a group of Ed's former students and colleagues met for two days to discuss his work. Our fondness for this amusing and gregarious man was manifest, as were our memories of the tortures through which he put us as he taught us to think and write. Rereading his work as a whole reminded us that we had been privileged to know one of the best minds we had ever encountered, a person whose rigorous intellect and extraordinary knowledge created a standard to which all of us aspired but which none of us attained.

[From the Washington Post, Oct. 14, 1999]

THE GIFT OF A GREAT TEACHER

(By Robert J. Samuelson)

If you are lucky in life, you will have at least one great teacher. More than three decades ago, I had Ed Banfield, a political scientist who taught mainly at the University of Chicago and Harvard University. Ed's recent death at 83 saddened me (which was expected) and left me with a real sense of loss (which wasn't). Although we had stayed in touch, we were never intimate friends or intellectual soul-mates. The gap between us in intellectual candlepower was too great. But he had loomed large in my life, and I have been puzzling why his death has so affected me.

I think the answer—and the reason for writing about something so personal—goes to the heart of what it means to be a great teacher. By teacher, I am not referring primarily to classroom instructors, because learning in life occurs mainly outside of schools. I first encountered Ed in a lecture hall, but his greatness did not lie in giving good lectures (which he did). It lay instead in somehow transmitting life-changing lessons. If I had not known him, I would be a different person. He helped me become who I am and, more important, who I want to be.

When you lose someone like that, there is a hole. It is a smaller hole than losing a parent, a child or close friend. But it is still a hole, because great teachers are so rare. I have, for example, worked for some very talented editors. A few have earned my lasting gratitude for improving my reporting or writing. But none has been a great teacher; none has changed my life.

What gave Ed this power was, first, his ideas. He made me see new things or old things in new ways. The political scientist James Q. Wilson—first Ed's student, then his collaborator—has called Banfield ''the most profound student of American politics in this century.'' Although arguable, this is surely plausible.

Americans take democracy, freedom and political stability for granted. Ed was more wary. These great things do not exist in isolation. They must somehow fuse into a political system that fulfills certain essential social functions: to protect the nation; to provide some continuity in government and policy; to maintain order and modulate society's most passionate conflicts. The trouble, Ed believed, is that democracies have self-destructive tendencies and that, in modern America, these had intensified.

On the whole, he regretted the disappearance after World War II of a political system based on big-city machines (whose supporters were rewarded with patronage jobs and contracts) and on party ''bosses'' (who dictated political candidates from city council to Congress and, often, the White House). It was not that he favored patronage, corruption or bosses for their own sake. But in cities, they created popular support for government and gave it the power to accomplish things. And they emphasized material gain over ideological fervor.

Postwar suburbanization and party ''reforms''—weakening bosses and machines—destroyed this system. Its replacement, Ed feared, was inferior. ''Whereas the old system had promised personal rewards,'' he wrote, ''the new one promises social reform.'' Politicians would now merchandise themselves by selling false solutions to exaggerated problems. ''The politician, like the TV news commentator, must always have something to say even when nothing urgently needs to be said,'' he wrote in 1970. By some

years, this anticipated the term ''talking head.'' People would lose respect for government because many ''solutions'' would fail. Here, too, he anticipated. Later, polls showed dropping pubic confidence in national leaders. Ed was not surprised.

He taught that you had to understand the world as it is, not as you wished it to be. This was sound advice for an aspiring reporter. And Ed practiced it. In 1954 and 1955, he and his wife, Laura (they would ultimately be married 61 years), spent time in a poor Italian village to explain its poverty. The resulting book—''The Moral Basis of a Backward Society''—remains a classic. Families in the village, it argued, so distrusted each other that they could not cooperate to promote common prosperity. The larger point (still missed by many economists) is that local culture, not just ''markets,'' determines economic growth.

What brought Ed fleeting prominence—notoriety, really—was ''The Unheavenly City.'' Published in 1970. Prosperity, government programs and less racial discrimination might lift some from poverty, he said. But the worst problems of poverty and the cities would remain. They resulted from a ''lower class'' whose members were so impulsive and ''present oriented'' that they attached ''no value to work, sacrifice, self-improvement, or service to family, friends or community.'' They dropped out of school, had illegitimate children and were unemployed. Government couldn't easily alter their behavior.

For this message, Ed was reviled as a reactionary. He repeatedly said that most black Americans didn't belong to the ''lower class'' and that it contained many whites. Still, many dismissed him as a racist. Over time his theories gained some respectability from the weight of experience. Poverty defied government assaults; his ''lower class'' was relabeled ''the underclass.'' But when he wrote, Ed was assailing prevailing opinion. He knew he would be harshly, even viciously, attacked. He wrote anyway and endured the consequences.

This was the deeper and more important lesson. Perhaps all great teachers—whether parents, bosses, professors or whoever—ultimately convey some moral code. Ed surely did. What he was saying in the 1960s was not what everyone else was saying. I felt uneasy with the reigning orthodoxy. But I didn't know why. Ed helped me understand my doubts and made me feel that it was important to give them expression. The truth had to be pursued, no matter how inconvenient, unpopular; unfashionable or discomforting. Ed did not teach that; he lived it. This was his code, and it was—for anyone willing to receive it—an immeasurable gift.●

NOTICE

REGISTRATION OF MASS MAILINGS

The filing date for 1999 third quarter mass mailings is October 25, 1999. If your office did no mass mailings during this period, please submit a form that states ''none.''

Mass mailing registrations, or negative reports, should be submitted to the Senate Office of Public Records, 232 Hart Building, Washington, DC 20510–7116.

The Public Records office will be open from 8:00 a.m. to 6:00 p.m. on the filing date to accept these filings. For further information, please contact the Public Records office at (202) 224–0322.

ORDERS FOR TUESDAY, OCTOBER 19, 1999

Mr. GORTON. Mr. President, I ask unanimous consent that when the Senate completes its business today, it adjourn until the hour of 1:15 p.m. on Tuesday, October 19. I further ask consent that on Tuesday, immediately following the prayer, the Journal of proceedings be approved to date, the morning hour be deemed expired, the time for the two leaders be reserved for their use later in the day, and the Senate then immediately recess until 2:15 p.m. for the weekly party conferences to meet. I further ask consent that the mandatory quorums required under rule XXII be waived.

The PRESIDING OFFICER. Without objection, it is so ordered.

PROGRAM

Mr. GORTON. For the information of all Senators, the Senate will convene tomorrow at 1:15 p.m., and at 2:15 p.m. two cloture votes will occur with respect to amendments to the campaign finance bill. Following the vote or votes, the Senate may resume consideration of the campaign finance bill. However, debate on this legislation is coming to a close, and Senators should anticipate the consideration of the partial-birth abortion bill, the continuing resolution, and available appropriations conference reports during the remainder of this week's session of the Senate.

ORDER FOR ADJOURNMENT

Mr. GORTON. If there is no further business to come before the Senate, I now ask unanimous consent that the Senate stand in adjournment under the previous order.

Mr. FEINGOLD. Reserving the right to object.

The PRESIDING OFFICER. The Senator from Wisconsin.

Mr. FEINGOLD. I ask the Senator from Washington why the Senate is not convening until 1:15?

Mr. GORTON. The Senate is not convening until 1:15 at the direction of the majority leader.

Mr. FEINGOLD. Mr. President, I am wondering why. It would be a good idea to take up this bill that we have before us and work on it, take up amendments in the morning, instead of losing a half a day. Is there some substantive reason why we are not working on a Tuesday morning, after we started the voting process already on Monday night?

The PRESIDING OFFICER. Is there objection to the request?

Mr. FEINGOLD. Reserving the right to object, Mr. President. I find it hard to understand, as we have just had a vote, which was supposed to be an up-or-down vote on the question of whether or not we are going to ban soft money. The opponents of reform obviously did not want to face that vote.

Quite a number of them had come out to the floor this afternoon to say they were against banning soft money. So they had a chance to vote not to ban soft money. Why didn't they do that? They threw the vote. They all came out here and unanimously voted not to table the McCain-Feingold bill, which simply bans soft money. Now they do not want to have us meet tomorrow morning.

We are not going to do our job tomorrow morning. We are not even going to debate, not going to take up amendments. We are just going to take the morning off.

Mr. GORTON. Regular order.

Mr. FEINGOLD. We see here the unbelievable desire to avoid the issue.

Mr. GORTON. Regular order.

The PRESIDING OFFICER. The regular order has been called for. The Senator must either object or permit the unanimous consent to go forward.

Mr. FEINGOLD. Mr. President, I will not object, having had the chance to express my dismay at this schedule, which is nothing but a way to avoid the issue.

Mr. GORTON. Regular order.

The PRESIDING OFFICER. Without objection, it is so ordered.

ADJOURNMENT UNTIL TUESDAY, OCTOBER 19, 1999

Thereupon, the Senate, at 7:05 p.m., adjourned until Tuesday, October 19, 1999, at 1:15 p.m.

NOMINATIONS

Executive nominations received by the Senate October 18, 1999:

NATIONAL SECURITY EDUCATION BOARD

HERSCHELLE S. CHALLENOR, OF GEORGIA, TO BE A MEMBER OF THE NATIONAL SECURITY EDUCATION BOARD FOR A TERM OF FOUR YEARS. (REAPPOINTMENT)

IN THE ARMY

THE FOLLOWING ARMY NATIONAL GUARD OF THE UNITED STATES OFFICER FOR APPOINTMENT IN THE RESERVE OF THE ARMY TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 12203:

To be brigadier general

COL. WILLIAM F. SMITH III, 0000.

IN THE NAVY

THE FOLLOWING NAMED OFFICERS FOR TEMPORARY APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES NAVY UNDER TITLE 10, U.S.C., SECTION 5721:

To be lieutenant commander

GEORGE R. ARNOLD, 0000
BUFORD D. BARKER, 0000
HAROLD T. BRADY, 0000
DARIN J. BROWN, 0000
ANTHONY C. CARULLO, 0000
CHRIS J. CLEMMENSEN, 0000
BRUCE W. GRISSOM, 0000
RICHARD S. HAGER, 0000
MARTIN H. HARDY, 0000
GREGORY R. KERCHER, 0000
ROBERT C. MILLER, 0000
JON RODGERS, 0000
RICHARD E. SEIF, 0000
STEVEN F. SMITH, 0000
TODD S. WEEKS, 0000